

Virginia Passenger Rail Authority

Human Resource Policies & Procedures Manual

The policies and procedures in this manual are designed to serve as guidelines for employees as well as managers. No provision or portion of the manual constitutes an implied or expressed contract, guarantee, or assurance of employment, or any right to an employment-related benefit or procedure. Employees of the VPRA are “at-will” employees and employment may be terminate by either party at any time for any reason. Any oral or written statements or promises to the contrary are hereby expressly disavowed and should not be relied upon by any prospective or existing employee. Prior years of service working for the Commonwealth are recognized by the VPRA when determining benefits based on previous term of service. The contents of this policy manual are subject to change at any time in the sole discretion of the VPRA.

TABLE OF CONTENTS

Virginia Passenger Rail Authority	1
Human Resource Policies & Procedures Manual.....	1
EMPLOYMENT	5
Classification of Employment.....	6
Confidential Information	6
Disabilities in the Workplace	7
Equal Employment Opportunity	10
Job Posting	10
Personnel Records	12
Reduction in Force	13
Resignation/ Termination	13
Telework.....	14
COMPENSATION	18
Hours of Work	19
Overtime	19
Pay Day.....	19
Pay Plan.....	20
Payroll Deduction.....	21
Recording Hours Worked.....	22
BENEFITS	23
Career Development.....	24
Civil and Work-Related Leave	27
Community Service	28
Family and Medical Leave of Absence	29
Holidays.....	33
Leave of Absence – Emergency.....	34
Leave of Absence - Military.....	35
Military Reserve Training	37
Paid Time Off.....	38
Retirement	40
Severance.....	41

Statement of ERISA Rights	42
Wellness	42
Workers Compensation	43
Parental Leave.....	44
EMPLOYEE RELATIONS.....	47
Standards of Conduct.....	48
Attendance.....	49
Communications	50
Discrimination and Harassment.....	51
Distribution or Sales.....	53
Drug, Alcohol, and Substance Abuse	54
Identification Cards.....	55
Performance Evaluations	56
Personal Appearance	57
Disciplinary Procedures.....	58
Grievance Process	60
SAFETY.....	63
Accidents Involving Virginia Passenger Rail Authority Vehicles	64
Housekeeping	64
Incidents and Injuries at Work.....	64
Life-Threatening Illnesses	66
Theft.....	67
Violence in the Workplace Prevention	67
MISCELLANEOUS.....	69
Conflict of Interest	70
Fraud, Waste, and Abuse	72
Media Coverage	74
Nursing Mothers	74
Outside Employment	74
Public Health Emergency Leave	75
Severe Weather Conditions or Unusual Circumstances	79
Smoking.....	79
Social Media	80

Information Technology Usage and Security	81
Pandemic.....	83

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EMPLOYMENT

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Classification of Employment

Purpose: To establish guidelines to be used in classifying all employees of VPRA.

Applies To: All Employees

Policy: Employees are classified as either exempt or non-exempt. A non-exempt employee may also be referred to as an hourly employee and is eligible for overtime pay.

Exempt employees are supervisors, executives, professional staff, technical staff, outside marketing/sales representatives, and others whose duties and responsibilities allow them to be exempt from overtime pay provisions as provided by the Federal Fair Labor Standards Act (FLSA) and any applicable state laws. If you are an exempt employee, you will be advised that you are in this classification at the time you are hired, transferred or promoted.

Employees will be classified in one of the following employment classifications:

1. Regular – Employment in an established job after completion of the employee's introductory period. Employees classified in this category are typically scheduled to work forty (40) hours per week. However, full time work weeks of less than 40 hours will be considered based on necessity.
2. Introductory – Any employee who has not yet completed the first six months of employment.

Each employee must produce satisfactory work in order for employment during the first six months to continue. During this period, employee qualifications, performance and behavior will be reviewed, after which the VPRA has the option to extend the introductory period another six months. At any time during this period, an employee may be discharged without warning, subject only to compliance with VPRA's Equal Employment Opportunity policy.

A former employee who has been rehired after a separation from VPRA is considered a new employee and is subject to the Introductory Period.

3. Part-time – Employment in a job or jobs that require the employee to be scheduled for less than thirty hours per week.

Confidential Information

Purpose: To ensure that no employee discloses confidential or proprietary information.

Applies To: All Employees

Policy: The employee recognizes that during the course of the employee's employment, the employee may receive, develop, otherwise acquire, have access to or become acquainted with trade secrets or other confidential information related to the business of VPRA. Misuse or unauthorized disclosure of confidential information not otherwise available to persons or firms outside VPRA is cause for disciplinary action, including termination.

If you are questioned by someone outside VPRA in connection with confidential business information refer the request to your manager. Questions in connection with the Virginia Freedom of Information Act shall be directed to the VPRA FOIA officer.

Disabilities in the Workplace

Purpose: To comply with all federal, state, and local laws concerning employment of individuals with disabilities.

Applies To: All Employees

Policy: VPRA will not discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions, and privileges of employment. VPRA will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of the job in question.

An individual, who can be reasonably accommodated for the job in question, without undue hardship, will be given the same consideration for that position as any other employee or applicant.

All employees are required to comply with safety standards. Applicants who pose a direct threat to the health or safety of other individuals in the workplace, which threat cannot be eliminated by reasonable accommodation, will not be hired. Current employees who pose a direct threat to the health or safety of themselves or other individuals in the workplace will be placed on appropriate leave until a decision can be made with regard to the employee's immediate employment situation.

Definitions

For the purposes of this policy, the following definitions apply:

1. **Disability** – a physical or mental impairment that substantially limits one or more of the major life activities of an individual. An individual who has such an impairment, has a record of such an impairment is also deemed

a “disabled individual.” An individual may also be deemed “disabled” if that person is regarded as having such impairment.

2. Major life activity – may include things such as caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating or working. A “major life activity” may also include bodily functions such as functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive systems.
3. Direct threat to safety – a significant risk to the health or safety of others that cannot be eliminated by reasonable accommodation.
4. A qualified individual with a disability – an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the job the individual holds or has applied for.
5. Reasonable accommodation – making existing facilities readily accessible to and usable by individuals with disabilities, including but not limited to; job restructuring, modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, and similar activities.
6. Undue hardship – an action requiring significant difficulty or expense by VPRA.
7. Essential job functions – those activities of a job that are core to performing the job in question.

VPRA will treat all medical information obtained from employees about any potential disability or any related condition in a confidential manner and will reveal such information only to those persons within VPRA who have a need to know such information, and otherwise as required by law.

Returning To Work Following an Absence

When an employee is restricted in the performance of their regular duties due to personal injury, illness or medical condition, or due to a work-related accident/injury, VPRA will attempt to assist employees returning to work by considering temporary work duties or assignments until the employee is medically released to resume regular duties.

Employees returning to work following any absence resulting from a work-related accident/injury or from a personal injury or illness excused by an authorized medical provider, must provide their Manager with documentation from an authorized medical provider which supports the absence and

recommends return to full duty, if applicable. If the authorized medical provider recommends light or modified duty, this documentation must be provided to the employee's Manager. Employees may not return to work following an absence excused by the authorized medical provider, without documentation from the authorized medical provider.

The employee's Manager and Human Resources will review the authorized medical provider's light or modified duty recommendations/restrictions to determine what, if any, accommodations can be made. If necessary, a physical requirements checklist will be completed for any position for which the employee is being considered. In instances requiring clarification of restrictions a copy of the physical requirements checklist and the employee's job description will be provided to the treating physician for review.

Employees not released for full duty may be placed in a position on a temporary basis or have their current position modified. An employee's Manager shall review the temporary work assignment every 30 days to evaluate the employee's progress toward return to regular duties. The employee may be requested to provide updated medical information concerning physical capabilities and prognosis from the authorized medical provider during this review. A work restriction lasting 90 days or more will be evaluated to determine VPRA's ability to make continued temporary accommodations.

Temporary work assignments must meet department/staffing needs and accommodate the employee's medical restrictions while taking into consideration the welfare and safety of the employee and their co-workers. Temporary work assignments shall not exceed the level of responsibility of the regularly assigned position/function. Temporary work assignments must be in the respective department or another department within the respective division. In situations where multiple employees are requesting light or modified duty and there are limited positions available for accommodation, preference will be given first to the employee receiving Worker's Compensation (WC) benefits, then to the employee receiving Short Term Disability (STD) benefits followed by an employee without an approved WC/STD benefit, but with a doctor's recommendation for light or modified duty.

Temporary work assignments may be altered, upgraded, or changed in a manner consistent with medical restrictions and in accordance with the employee's condition.

In order to prevent employees from performing work while on extended WC, STD and/or Family & Medical Leave Act leave, employees below the senior leadership team will have their network access inactivated during their leave of absence.

Equal Employment Opportunity

Purpose: To ensure all employment is in compliance with the Equal Employment Opportunity regulations.

Applies To: All Employees and Applicants

Policy: The company will provide Equal Employment Opportunity (EEO) without regard to race (including traits historically associated with race such as hair texture, hair type, and protective styles), color, religion, sex, sexual orientation, gender identity or expression, genetic information discrimination, disability status, marital status, pregnancy, childbirth or related medical conditions including lactation, age, status as a veteran, national origin, or any other characteristic protected by federal, state, or local laws.

The policy applies to all areas of employment, including recruitment, hiring, training and development, promotion, transfer, termination, layoff, compensation, benefits, and all other conditions and privileges of employment in accordance with applicable federal, state, and local laws.

EEO notices are posted on appropriate employee bulletin boards as required by law. The notices summarize the rights of employees to equal opportunity in employment and list the names and addresses of the various government agencies that may be contacted in the event that any person believes they have been discriminated against.

Management is primarily responsible for seeing that the company's EEO policies are implemented, but all employees share in the responsibility for assuring that by their personal actions the policies are effective and apply uniformly to everyone.

Any employee involved in discriminatory practices may be subject to termination.

Job Posting

Purpose: To ensure all job postings are handled in a consistent manner that provides internal and external job seekers the awareness of open positions for which they are eligible.

Applies To: Internal and External Job Seekers

Policy: The VPRA is committed to providing employees the opportunity for development and career advancement through job application, and external job seekers an opportunity to submit their application for open positions that are posted externally.

Job opportunities approved for posting will remain available for a minimum of five (5) business days unless the response volume warrants limiting the posting period. Hiring leaders and recruiters are accountable to ensure that postings remain open for a reasonable length of time to allow for broad visibility by job seekers, and sufficient to attract an ample pool of diverse applicants.

Eligibility Requirements for Internal Transfers/Promotions

Current employees interested in applying for an Internal Transfer/Promotion must meet all of the following criteria to be eligible:

1. Minimum of one (1) year of service in current position;
2. Meet the minimum requirements of the job vacancy as detailed appropriately in the posting;
3. At least a “Meets” rating on their most recent annual performance evaluation;
4. Free of disciplinary written warnings, final counseling, or action plan of improvement within one (1) year previous to the job posting; and
5. Follow and complete the internal application process, and assume the position within a reasonable period of time as determined by the business unit.

Employees seeking a new position with less than one (1) year in their current position may be considered under special circumstances with the approval of Human Resources. The hiring leader must submit a business case scenario detailing the need for an exception to Human Resources for review and approval.

Eligibility Requirements for External Job Seekers

1. All job openings which are approved for external posting may be accessed through the careers page of the Authority’s web site.
2. External job seekers interested in an advertised position must submit their application electronically through the careers site. Unsolicited resumes will not be accepted.
3. Successfully submitting an application does not imply the job seeker is qualified as a candidate for the position. Once determined the applicant has met the required minimum qualifications, the applicant may then become eligible to progress further in the process.
4. A successfully submitted application does not guarantee an interview or selection for the position, and is not to be interpreted as a contract of employment.
5. If selected, employment with the VPRA is contingent upon successful completion of a pre-employment drug screening and background check.

Administrative Provisions

Some open positions may be exempt from job posting if approved by Human Resources. Approved exceptions to job posting will be handled on a case-by-case basis and may be permitted in the following circumstances:

1. Open positions at the Chief level;
2. Open positions resulting from an organizational restructure or reclassification;
3. Positions that occur due to normal career progression (successful performance in a role that dictates the role and responsibility level be elevated without back-filling the current position); or
4. Employees, when qualified, returning from an approved Family and Medical Leave of 12 weeks or less, or from military leave, may receive first consideration to ensure adherence to federal/state regulations.

The hiring leader must submit a business case scenario detailing the need for an exception to Human Resources for review and approval.

Personnel Records

Purpose: To establish guidelines for maintaining employees' files and the safeguard of the information in the files

Applies To: All Employees

Policy: Employee personnel records are the property of VPRA maintained by the Human Resources Department, and are considered confidential.

Managers may only have access to personnel file information on a need-to-know basis.

A manager considering the hire of a former employee or the transfer of a current employee may be granted limited access to the file.

The only telephone verification VPRA will make is whether or not the person is presently employed by VPRA, the dates of employment, pay and job title. Requests for reference checks or other inquiries from outside agencies must be in writing on company letterhead, and must also include a signed release waiver by the employee.

Personnel information will not be given to outside parties, unless subpoenaed by a government agency, or authorized by a signed release from the employee (or former employee).

Employees, under any circumstances, must not respond to requests for information regarding another employee unless it is part of their assigned job responsibilities. Otherwise, all reference requests should be forwarded to the

Human Resources Department for a response. Employees wishing to see their personnel file will be permitted to do so but only in the presence of Human Resources, and will only be given copies of documents that they have signed. If an employee reviewing the file tampers with or destroys any information, they will be subject to termination.

Keeping personnel files up-to-date can be important to an employee's pay, deductions, benefits and other matters. Employees must inform Human Resources as soon as possible if there are changes in any of the following items:

1. Legal name
2. Home address, telephone numbers, and personal email address
3. Emergency contact
4. Change of dependents
5. Marital status
6. Change of beneficiary
7. Military or draft status
8. Exemptions on W-4 tax form

Reduction in Force

Purpose: To allow for orderly and fair means of reducing the work force.

Applies To: All Employees

Policy: When a reduction in force is necessary, decisions will be based on skill, knowledge, ability, and performance and will be made by the Human Resources Department and the Senior Leadership Team.

Resignation/ Termination

Purpose: To establish guidelines for handling resignations and terminations.

Applies To: All employees

Policy: Employees resigning from VPRA are expected to give two (2) weeks' written notice to their Manager.

The Manager and Human Resources will review all circumstances of the termination with the employee. Prior to the employee's last day of work, Human Resources will make arrangements to meet with the employee to conduct an exit interview to discuss benefits related information, final paycheck, reason for leaving, and to collect all VPRA property.

The employee is responsible for any VPRA-issued property, and may be required to pay for any lost or damaged items. The value of the item(s) may be deducted from the employee's final paycheck.

The employee's final paycheck should be ready the next payday following the last week worked.

Telework

Purpose: To establish guidelines for teleworking.

Applies To: All Employees

Policy: The VPRA promotes telework as a means of achieving administrative efficiencies, reducing traffic congestion and transportation costs, supporting continuity of operations, and sustaining the recruitment and retention of a highly qualified workforce by enhancing work/life balance.

Teleworking allows employees to work remotely or in a satellite location for all or part of their workweek. The VPRA considers teleworking to be a viable, flexible work option when both the employee and the job are suited to such an arrangement. Teleworking may be appropriate for some employees and jobs, but not for others.

Managers, in consultation with Human Resources, have the discretion to:

- Designate positions for telework;
- Designate and approve employees for telework; and
- Deny approval for telework.

Procedures

Teleworking can be informal, such as working from home or other remote location for a short-term project or a formal, set schedule of working away from the office. Either an employee or a manager may suggest teleworking as a work arrangement.

Any teleworking arrangement may be discontinued at any time at the request of either the teleworker or the manager. Every effort will be made to provide 30 days' notice of such a change to accommodate issues that may arise from the termination of a teleworking arrangement. Less than 30 days' notice requires the notification of Human Resources with justification.

Position Eligibility

In making decisions regarding which positions are appropriate to designate or approve for telework, managers will analyze the duties of positions and how the work is performed, using the below listed attributes:

- Requires independent work;
- Requires little face-to-face interaction;

- Results in specific, measurable work products
- Can be monitored by output, not time spent doing the job; and
- Requires a workspace design that is consistent with telework

Prior to making and communicating a final decision, managers will consult with Human Resources to ensure that positions designated for telework are aligned with the intent of the organization.

Employee Eligibility

The manager has the discretion to approve, disapprove, or rescind telework. In making decisions about which employees are approved for telework, managers will consult with Human Resources in which the manager attests that the employee possesses all of the below listed attributes.

- Ability to work productively on their own
- Are self-motivated, flexible, and well organized
- Are knowledgeable about the job and can perform with minimum supervision
- Are dependable and trustworthy;
- Are organized; and
- Have good communication skills.

Tax and Other Legal Implications

The employee is responsible for any tax or legal implications under federal, state and local government laws, to include restrictions associated with working out of a home-based office. The responsibility for fulfilling all obligations in this area rests solely with the employee.

Telework Agreements

If the employee, manager, and Human Resources are all in agreement, a draft teleworking agreement will be prepared and signed by all parties.

Evaluation of teleworker performance will include regular interaction by phone, video- teleconference, and e-mail between the employee and the manager to discuss work progress and performance. Evaluation of teleworker performance will be consistent with that received by employees working at the office in both content and frequency, and will focus on work output and completion of objectives.

The manager and teleworker will communicate at a level consistent with employees working at the office.

Failure to follow policies, rules, and procedures may result in the termination of the telework assignment and/or disciplinary action.

General Provisions

1. Telework assignments do not change the conditions of employment or required compliance with policies, including the total number of hours that employees are expected to work. Managers are responsible for monitoring and evaluating the work produced by the teleworker.
2. Telework is not intended to serve as a substitute for child or adult care. Although an individual employee's schedule may be modified to accommodate child or adult care needs, the focus of the arrangement must remain on job performance and meeting business demands. If children or adults in need of primary care are in the alternate work location during an employee's work hours, another competent individual must be present to provide the care.
3. Employees are required, as requested by the manager, to report to the central work location as needed for work-related meetings or other events.
4. Employees must forward their office phone to the alternate work location, which will permit other port employees, customers, etc., to readily access them during scheduled work hours.

Equipment

The VPRA will determine, with information supplied by the employee and the manager, the appropriate equipment needs for each teleworking arrangement. The Human Resources and Information Technology Departments will serve as resources in this matter. Equipment supplied by the organization will be maintained by the organization.

Equipment supplied by the employee, if deemed appropriate by the organization, will be maintained by the employee. The VPRA accepts no responsibility for damage or repairs to employee-owned equipment.

Equipment supplied by the organization is to be used for business purposes only. The teleworker must sign an inventory of all the VPRA property received and agree to protect the items from damage or theft. Upon termination of employment, all VPRA property will be returned to VPRA, unless other arrangements have been made.

The VPRA will supply the employee with appropriate office supplies (pens, paper, etc.). With prior approval, the VPRA may also reimburse the employee for reasonable business-related expenses.

The employee will establish an appropriate work environment within their telework location for telework purposes. The VPRA will not be responsible for costs associated with the setup of the employee's telework location, such as remodeling, furniture or lighting, nor for repairs or modifications to the

telework location.

Security

Consistent with the organization's expectations of information security for employees working at the office, teleworkers will be expected to ensure the protection of proprietary company and customer information that is accessible from their telework location. This includes the use of locked file cabinets and desks, document shredders, regular password maintenance, and any other measures appropriate for the job and the environment.

Health and Safety

Teleworkers are expected to maintain their remote workspace in a safe manner, free from safety hazards. An injury sustained by the teleworker in a telework location that is in direct performance of regular work duties is normally covered by the workers' compensation policy. Teleworkers are responsible for notifying the employer of such injuries in accordance with existing policy. The employee is liable for any injuries sustained by visitors to the telework site.

Time Worked

Teleworkers who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked using the VPRA's time-keeping system. Hours worked in excess of those scheduled per work-day and per work-week require the advance approval of the teleworker's supervisor. Failure to comply with this requirement may result in the immediate termination of the teleworking agreement.

Temporary Arrangements

Temporary teleworking arrangements may be approved for circumstances such as inclement weather, special projects, or other extenuating circumstances. These arrangements are approved on an as-needed basis only, with no expectation of continuance.

All informal teleworking arrangements are made on a case-by-case basis, focusing first on the business needs of the organization.

COMPENSATION

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Hours of Work

Purpose: To establish guidelines for work schedules.

Applies To: All Full-Time Employees

Policy: VPRA is committed to helping employees sustain a productive work environment by offering flexible work schedules to enable employees to maintain a healthy work-life balance.

Regular hours of work will consist of at least a 40-hour per week schedule, Monday through Friday, with normal operating hours between 8:30am – 5:00pm.

All VPRA employees will be considered for flexible and compressed work schedules on a case-by-cases basis by each Manager. Eligibility considerations will include the type of role and the evaluation of productivity and quality of work. Flexible work and compressed work schedules are not appropriate for all employees or positions and are not a universal employee benefit.

Overtime

Purpose: To comply with the Fair Labor Standards Act.

Applies To: Non-Exempt Employees

Policy: Non-Exempt employees will be paid at a rate of one and one-half (1-½) times he base hourly rate for all hours worked in excess of forty (40) hours per week.

Any time away from work, such as leave usage and all holiday hours, will be counted as hours worked for the purpose of computing overtime.

All overtime must be approved in advance by the Manager. Managers cannot authorize overtime work for employees in other departments or shifts unless they are temporarily in charge of those employees or specifically assigned such a responsibility

No employee may take work home nor perform any of the VPRA's work at home without prior Manager approval.

Pay Day

Purpose: To provide a method of pay distribution that allows employees to know when they will be paid.

Applies To: All Employees

Policy: For both non-exempt and exempt employees, time is processed twice a month. The pay periods are the first of the month through the fifteenth of the month and the sixteenth of the month through the end of the month. Pay days are the 15th and 30th of each month.

VPRA requires direct deposits for all paychecks. With this option, each paycheck will be automatically deposited to one or more financial institutions as directed by the employee.

Pay Plan

Purpose: To ensure effective administration of the Pay Plan.

Applies To: All Employees

Policy: It is the VPRA's desire to pay wages and salaries that are competitive with other employers in the marketplace in a way that will be fair and equitable, variable with individual performance and tenure, and in compliance with all applicable statutory requirements.

A Department Manager shall request Human Resources to conduct an analysis on a newly created position or a position that has changed significantly in content, responsibilities, effort, or skill.

Basis for Determining Pay

Pay is influenced by several factors:

1. Knowledge, skills, and abilities
2. The nature and scope of the job.
3. What other employers pay their employees for comparable jobs. In other words - market value.
4. Individual performance.
5. Training, certification and license.

Pay Adjustments

Throughout the year, certain situations may arise which may result in a pay adjustment. These situations include:

1. Annual Merit
2. Promotion
3. Development Plan Progress
4. Temporary Job Assignment

5. Market Adjustment (external equity)
6. Internal Equity
7. Job Regrade
8. Transfer
9. Demotion

Not every job change will result in a pay adjustment. When an adjustment is made, it will be based on pay within the range, knowledge, skills, abilities, experience, and internal equity. The pay adjustment may be in the form of a base increase, bonus, or combination of base and bonus.

NOTE: A new hire and recently promoted or transferred employee must perform satisfactory work in their current role for a minimum of one (1) year in order to be eligible for a, or another, promotion or transfer. Human Resources may approve an exception for situations where there is a business need, or to better utilize the employee's skills set.

Temporary Pay

The VPRA may provide temporary pay to an employee who is assigned different duties on an interim basis, or because of the need for additional assignments associated with a special time-limited project, or for acting in a higher-level position.

An employee temporarily assigned to a job in a higher pay grade may receive a pay adjustment if they hold the temporary job for thirty (30) or more consecutive calendar days. Requests for pay adjustments due to temporary assignments in a higher grade should be made by a Manager to Human Resources with information pertaining to an employee's present job classification, the temporary job classification, the effective date of the temporary assignment and the anticipated length of the assignment.

An employee assigned to a position in a lower pay grade for more than 30 days will have a review conducted to determine the temporary nature of the assignment.

Payroll Deduction

Purpose: To comply with Federal Law.

Applies To: All Employees

Policy: The Virginia Passenger Rail Authority is required by law to make deductions from employees' wages for Federal and State income taxes, Social Security and Medicare taxes. Employees must complete Federal and State tax withholding forms.

The VPRA will make deductions for benefits. Any changes in these deductions must be authorized by the employee.

Whenever court-ordered wage garnishments are to be taken from your pay, you will be notified.

Employees will be sent a W-2 form by January 31st of each year for the previous year's earnings. This form shows total earnings, Social Security and Medicare taxes deducted, Federal and State income taxes deducted and any other information as required by law.

Recording Hours Worked

Purpose: To ensure compliance with the Fair Labor Standards Act.

Applies To: All Non-Exempt Employees

Policy: Non-Exempt employees are required to maintain a record of hours worked.

No employees are permitted to start work before their scheduled starting time or continue after their scheduled stopping time unless they have authorization permitting otherwise from their Manager.

Employees who work less than their scheduled working hours due to tardiness or leaving early, barring instances where paid time off has been approved, shall be paid only for the time actually worked.

All overtime and/or deviations from the normal straight time hours must be approved by the Manager on a daily basis.

All non-exempt employees are required to record their own hours worked at the beginning and the end of the workday. Any employee who deliberately falsifies recorded time worked for themselves or for another employee may be terminated.

BENEFITS

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Career Development

Purpose: To provide employees with professional development opportunities that increase their skills and enhance their contributions to VPRA.

Applies To: All Regular Employees

Policy: The work performance of an employee is a vital key to the success of VPRA. Providing professional development to our employees is an investment in their careers and VPRA's future.

Professional development can be obtained through attendance at seminars, educational courses and degree programs that once acquired will assist the employee in performing their essential job functions and increase the employee's contribution to VPRA.

Other professional development expenses that are reimbursable under this policy are membership fees to professional organizations, registration fees for meetings, conferences, workshops and seminars, fees and subscriptions for scholarly journals, books, and computer-based resources.

Employees receiving a less than satisfactory performance evaluation or with an active disciplinary action will not be eligible for career development benefits for one (1) year after the offense. An exception may be granted for employees requesting to register for training as part of their Performance Improvement Plan. Managers will be responsible for verification of employees' eligibility.

Educational Courses and Degree Programs

Employees are eligible for reimbursement for education costs from an accredited college or university that are approved by VPRA. New hires must complete one (1) year of employment with the VPRA to be eligible for reimbursement of education costs. It is the employee's responsibility to seek out the courses and other training mediums that will enhance their career development and are in line with VPRA's mission.

Employees should discuss their planned course-work with their Manager prior to seeking approval. To apply for education assistance the employee should submit a formal request in writing to their immediate supervisor providing detailed information regarding the course for which they would like to receive reimbursement. The immediate supervisor will work with their management team, Human Resources and the CEO to determine if the course is eligible for reimbursement based on job-relatedness, employee performance, and availability of funds. It is advised that the student wait to enroll until this decision has been finalized. The employee will be notified as to the decision in writing within ten business days. While all eligible expenses will be

considered up to the maximums listed below, the total amount approved will be determined as a percentage of the total eligible costs according to departmental budgets.

Request for course approval should be submitted at least three (3) weeks before the course registration date, in order that all necessary approvals may be secured before the beginning of the course.

Employees' requests for educational benefits will be reimbursed for any grade of a "C" or better. Any grade less than a "C" is not eligible for reimbursement.

Maximum reimbursement per employee, including books and fees, will be up to \$5,000.00 annually.

Employees eligible for reimbursement from any outside sources, such as the Veterans Administration or scholarships, must apply for these benefits and apply the benefits received to the cost of their education. VPRA will consider for reimbursement the difference between benefits received from outside sources and the cost of tuition, but VPRA's portion may not make the total exceed the reimbursable cost.

Payback Agreement

In recognition of the investment made by the Agency on the employee's behalf, each employee who requests education assistance for coursework towards a degree, certificate, or professional certification or license will be required to sign a payback agreement. Should the employee voluntarily terminate or be terminated for cause within one year of receiving tuition reimbursement then they must agree to repay the agency according to the chart below. The time impact resets with each subsequent course taken and reimbursed. The repayment agreement should in no way be construed as an employment contract for the duration of the payback eligible period. The Agency reserves the right to deduct any owed monies from the employee's paycheck if necessary.

Terminate employment within	Employee owes agency
0-6 months of reimbursement	100% of amount paid
6-12 months of reimbursement	50% of amount pad

Requests for reimbursement must be submitted to Human Resources within thirty (30) days of the end of the course. Failure to provide a request within thirty (30) days may result in denial of reimbursement.

As a matter of record, employees accepting the terms of this policy will be required to provide written authorization of the acceptance, as well as an

agreement to remain with the organization for one year from the date of the educational reimbursement. If the employee terminates within that year, they will be required to pay a monthly prorated amount to the organization.

Time devoted to any course of study that takes place outside of normal working hours shall not be considered as time worked for the VPRA.

Responsibilities

Employee:

1. Take responsibility for your own learning and career development.
2. Discuss current and future learning needs and aspirations with your manager.
3. Request opportunities to advance your knowledge, skills, and abilities.
4. Follow the process for requesting educational assistance in a timely manner.
5. Perform your job at a level that meets the expectation of your manager and the Agency.
6. Successfully complete the coursework while putting forth your best effort.
7. Be open to new learning opportunities.
8. Apply your new skills and share your knowledge with your peers.

Manager:

1. Create an environment that is conducive to learning and encourage employees to seek professional and educational development opportunities.
2. Help employees understand and follow the Educational Assistance policy.
3. Assist employees in assessing their proficiency in the required knowledge, skills, and abilities for their positions.
4. Provide honest and professional feedback regarding the employee's knowledge, skills, and abilities.
5. Present employees with opportunities to expand their skills fairly and within the guidelines of our Equal Opportunity Policy.
6. Provide flexible work schedules in support of learning opportunities while ensuring business needs are fully met.

Human Resources:

1. Promote a learning environment to assist the Agency in meeting its overall mission, goals, and objectives.
2. Help managers assess employee strengths and opportunities for development.
3. Provide employees and managers with policy guidance and interpretation.
9. Maintain relationships with all Agency departments and managers to

- support organizational objectives.
- 4. Identify and coordinate external training resources.
- 5. Develop, maintain and administer the Educational Assistance policy, procedures, and related forms.

Civil and Work-Related Leave

Purpose: To provide employees time off with pay to perform certain civic duties and to employees participating in the formal resolution of workplace conflicts and certain other work-related activities.

Applies To: All Employees

Policy: Civil and Work-Related Leave is granted to employees to fulfill the civic duties and functions listed below. VPRA will permit an employee to be away from work for these purposes:

- As required by a summons to jury duty.
- To appear as a crime victim or as a witness in a court proceeding or deposition as compelled by a subpoena or summons.
- To accompany the employee's minor child when the child is legally required to appear in court.
- To serve as an officer of election.
- To serve as a member of a state council or board.
- To attend their own naturalization ceremony.

Civil and Work-Related Leave is not granted for use by an employee for these purposes:

- who is a defendant in a criminal matter, where criminal matter means either an alleged misdemeanor or felony,
- who has received a summons to appear in traffic court (except as a witness), or
- who is a party to a civil case, either as plaintiff or defendant, or who has any personal or familial interest in the proceedings.

Civil and Work-Related leave is granted to employees for absences during scheduled work hours for the following reasons:

- To interview for other positions with the organization.
- To participate in resolution of work-related conflicts or of complaints of employment discrimination.
- To attend work-related administrative hearings as a party or witness.
- To attend one initial session with the Employee Assistance Program per qualifying incident. (Employees who are not eligible for the EAP because they have waived state health coverage may consult the third-party administrator to obtain a referral to other behavioral health resources.)

Non-exempt employees will be paid at their base hourly rate times the number

of straight time hours they are regularly scheduled to work.

Exempt employees will receive their normal salary for the time off.

This leave will not be charged against Paid Time Off.

Community Service

Purpose: To support activities that help strengthen and serve communities in which we live and work.

Applies To: All Regular Employees

Policy: Employees are provided with sixteen (16) hours per calendar year to serve as volunteers in community programs that are either of personal interest or are corporate-sponsored initiatives. The goals of any program should be strategically relevant to the mission of VPRA.

To be considered a volunteer activity, a person must perform or give services of their own free will. A person who renders aid, performs service, or assumes an obligation voluntarily must do so without monetary compensation from the service organization.

Eligible Organizations

Volunteer service may be provided as a member of a service organization or an eligible agency. Service Organizations are (1) community based or have extensions of their organizations within a community, or (2) provide services through voluntary efforts of citizens in the following ways:

1. Relief to physically or mentally challenged persons;
2. Relief to victims of natural disasters or catastrophes;
3. Health services, emergency relief and shelter, transportation and preparation or delivery of meals;
4. Other direct health or welfare services for the economically disadvantaged; or Community services which assist residents, including child and youth development.

An Eligible Agency is a public or private nonprofit organization that is representative of a community or a significant segment of a community, and is engaged in meeting human, educational, environmental, or public safety community needs. Excluded is service provided through a church where the only recipients of the service are the constituents of the church (e.g. painting and maintenance of church buildings, yard work, serving on the church board, etc.).

Employees may provide voluntary service to an organization such as those represented by the United Way or Volunteer Hampton Roads (or any other

member of the HandsOn Network).

Activities involving political groups or causes do not qualify for use of this leave.

Company sponsored voluntary time of may not be used for organizations that discriminate based on creed, race (or traits historically associated with race including hair texture, hair type, protective hairstyle such as braids, locks , and twists); sex; color, national origin, religion; sexual orientation; gender identity or expression; age; veteran status; genetics; pregnancy, childbirth or related medical conditions; or disability.

Use of Time

Volunteer hours may be taken on an hourly basis. The time is refreshed at the beginning of each calendar year, and any unused time will not be carried over to the following year. There will be no payment for unused volunteer leave upon employees' separation from service.

Volunteer time should not conflict with the peak work schedule, other work related responsibilities, create need for overtime, or cause conflicts with other employees' schedules.

Approval Process

Employees must submit a written request to their Manager at least one week before the requested time off. The request must include the organization name, address, and phone number as well as the date(s) and time(s) of requested time off. The request should include a description of the volunteer activity to be performed. The Manager should then receive approval from Human Resources. Approval is at the discretion of the employee's Manager and Human Resources.

Employees must provide Human Resources written verification of time volunteered from an official of the service organization for use of volunteer leave.

Family and Medical Leave of Absence

Purpose: To set forth the VPRA's policy for providing a leave of absence to eligible employees in accordance with the federal Family and Medical Leave Act (FMLA).

Applies To: All Employees

Policy: It is the policy of the VPRA to provide eligible employees with a leave of absence from work in the following circumstances:

1. The birth of a child and in order to care for that child;
2. The placement of a child for adoption or foster care and to care for the newly placed child.
3. To care for a child, spouse, or parent with a serious health condition;
4. Because of the employee's own serious health condition, which renders the employee unable to perform the functions of their position. This includes work-related illnesses and accidents.
5. Qualifying exigency leave for families of members of the National Guard and Reserves when the covered military member is on active duty or called to active duty in support of a contingency operation.
6. Military caregiver leave (also known as covered service member leave) to care for an ill or injured service member.

Definitions

For purposes of this policy, the following definitions apply:

1. Child – Shall include a biological, adopted, foster child, stepchild, legal ward, or a child of an employee standing in loco parentis (i.e., in place of a parent), who is under eighteen (18) or older than eighteen (18) if incapable of self-care because of a mental or physical disability.
2. Parent – Biological parent or individual who stood in loco parentis to an employee when the employee was a child.
3. Serious health condition – An illness, injury, impairment, or physical or mental condition that involves inpatient care at a hospital, hospice, or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider. This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences.
4. Qualifying exigency – An employee whose spouse, son, daughter or parent either has been notified of an impending call or order to active military duty or who is already on active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. (Son or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave except that the person does not have to be a minor.) This type of leave would be counted toward the employee's 12-week maximum of FMLA leave in a 12-month rolling period.

Eligibility

Employees who have been employed by the VPRA for a total of at least 12 months in the past seven years and have worked for at least 1,250 hours in the previous 12-month period are eligible.

Leave Duration

An eligible employee can take up to 12 weeks for the FMLA circumstances (1) through (5) above under this policy during any 12-month period. This period is a rolling 12-month period measured backwards from the date an employee uses any leave under this policy. Each time an employee takes leave, the amount of leave taken in the last 12 months will be computed and subtracted from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for the FMLA circumstance (6) above (military caregiver leave) during a single 12-month period. For this military caregiver leave, this period is a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

If a husband and wife both work for the VPRA and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the husband and wife may only take a combined total of 12 weeks of leave. If a husband and wife both work for the VPRA and each wishes to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of 26 weeks of leave.

Intermittent Leave or Reduced Work Schedule

The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member over a 12-month period).

The VPRA may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances when leave for the employee or employee's family member is foreseeable, and for planned medical treatment, including recovery from a serious health condition, or to care for a child after birth, or placement for adoption or foster care.

For the birth, adoption or foster care of a child, the VPRA and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hour schedule. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.

If the employee is taking leave for a serious health condition or because of the serious health condition of a family member, the employee should try to reach

agreement with the VPRA before taking intermittent leave or working a reduced hour schedule. If this is not possible, then the employee must prove that the use of the leave is medically necessary.

Use of Paid or Unpaid Leave

Unless an employee is on paid disability or Worker's Compensation, employees are required to use PTO or Legacy Leave, as appropriate, for absences covered under family and medical leave. All paid and/or unpaid medical leave permitted under the FMLA will run concurrent with sick time, non-occupational disability, or workers' compensation absence when the injury or disability meets the criteria of a serious health condition as defined by FMLA.

Certification of Need for Leave

The VPRA will require certification for the employee's serious health condition, family member's serious health condition, qualifying exigency for military family leave, and serious injury or illness of the covered service member. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

Recertification

The VPRA may request recertification for the serious health condition of the employee or the employee's family member every 30 days and only when circumstances have changed significantly, or if the employee receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of their leave.

Procedure for Requesting FMLA Leave

All employees requesting FMLA leave must contact the Human Resources at least 30 calendar days prior to the anticipated leave begin date, or as soon as practicable in unforeseen circumstances. If an employee is not able to provide notice because of an illness or injury, notice may be given by a family member or a spokesperson as soon as practicable.

Designation of FMLA Leave

Within five (5) business days after the employee has submitted the appropriate certification form, Human Resources will complete and provide the employee with a written response to the employee's request for FMLA leave using the DOL Designation Notice. The VPRA may designate family and medical leave for an employee if notified that the employee has a serious health condition, rather than wait for the employee's request.

Intent to Return to Work from FMLA Leave

On a basis that does not discriminate against employees on FMLA leave, the VPRA may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

Return-To-Work Examinations

Before being permitted to return to work from a leave for the employee's own serious health condition, the employee may be required to provide certification from their health care provider that the employee is able to return to work and perform all functions of the job.

The VPRA also reserves the right to send the employee for a second opinion at the VPRA's cost before a return to work.

Reinstatement after Leave

Eligible employees taking leave under this policy will be reinstated to their former position, or to an equivalent position with equivalent benefits and other terms and conditions of employment if available. However, no employee is entitled under this policy to any right, benefit, or position other than that to which the employee would have been entitled had they not taken leave. Thus, for example, if a layoff or some other extenuating circumstance or business condition arises which affects the employee's position, reinstatement may not be possible.

Holidays

Purpose: To establish official days to be observed by the VPRA as holidays.

Applies To: All Full-Time Employees

Policy: The VPA observes the following holidays with pay:

- New Year's Day
- Martin Luther King, Jr. Day
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Indigenous Peoples Day
- Voting Day
- Veterans Day
- 4 Hours Day before Thanksgiving Day
- Thanksgiving Day
- Day After Thanksgiving
- Christmas Eve

- Christmas Day

The CEO/Executive Director of the VPRA has the discretion to change the above list of holidays at any time, or designate other workdays as additional holidays.

Non-Exempt Employees

For non-exempt employees, holiday pay is equal to the number of hours scheduled to work on the day the holiday is observed. If an employee is not scheduled to work on the day the holiday is observed, they will receive eight (8) hours of holiday pay. Holiday pay will be computed at the base hourly rate times the number of straight-time hours.

Whenever a non-exempt employee is required to work on any of the above non-restricted holidays, or that day observed as such, they will be paid the base straight-time hourly rate for all hours worked in addition to their holiday pay.

Non-Exempt employees required to work on a holiday will be paid two (2) times the base straight time hourly rate for all hours worked. If a holiday is observed on a day other than the actual date of the holiday, the employee will be paid one and one-half (1½) times the base straight time hourly rate for all hours worked.

Exempt Employees

Exempt employees required to work on a holiday will receive a PTO day.

All Employees

Employees who are on disability or leave without pay status for any part of the day before or after a holiday are not eligible to receive holiday pay.

Whenever any of the above holidays fall on either Saturday or Sunday, either the preceding Friday or the following Monday may be observed as the holiday. Employees will be notified as far in advance as possible concerning the day to be observed as the holiday.

Part-time and temporary employees do not receive holiday pay.

Leave of Absence – Emergency

Purpose: To permit employees to keep their seniority and benefits when unable to be at work because of an extreme unplanned and unforeseen event.

Applies To: All Employees

Policy: A Leave of Absence – Emergency is defined as time away from work without pay for a specific period. It may be granted at the discretion of Human Resources for situations, which are typically of a nonrecurring nature. A Leave of Absence – Emergency will be considered after use of all FMLA hours (if any) and all accrued leave. An absence of ten (10) consecutive calendar days to thirty (30) consecutive calendar days will be considered a leave of absence.

A leave may be granted to employees for personal necessity. The request for such a leave will be made to the employee's Manager. The request will state the beginning date, ending date and reason for the leave and will be reviewed by Human Resources. Human Resources will have final approval.

An extension of thirty (30) calendar days may be requested by the employee. Requests for extensions must be made to the employee's Manager and reviewed by Human Resources which will have final approval.

Prolonged emergency leave of absence, in excess of fifteen (15) calendar days, may require that a position be filled. Temporary replacements will be sought but, if necessary, the position may be permanently filled. Every effort will be made to return an employee on leave to their former position but where a position has been permanently filled, an alternative position will be sought and if available, offered to the returning employee. VPRA cannot guarantee that the alternative position will provide the same compensation.

An employee who does not report to work on the date indicated at the completion of the leave of absence will be considered to have voluntarily quit.

Benefits

1. Insurance and Retirement – All VPRA-paid benefits will continue in accordance with Federal Law and to comply with plan documents.
2. Holidays – An employee on Leave of Absence – Emergency shall not be entitled to receive holiday pay if a holiday falls during the leave period.
3. Employees will retain and accrue seniority during such leave or extension. Leave of Absence – Emergency is not considered a break in service.

Working While on Leave

If an employee accepts employment for pay while on a Leave of Absence – Emergency, they will be considered to have voluntarily quit.

Leave of Absence - Military

Purpose: To comply with Federal and State law and to allow our employees the

opportunity to perform an important civic duty.

Applies To: All Employees

Policy: A Leave of Absence – Military is granted to employees called to active duty to the United States Military, or employees in the Virginia’s Militia called up by the Governor to respond to natural or man-made disasters. Upon satisfactory completion of compulsory military service, employees are eligible for reemployment. In accordance with Federal Law, a veteran will be reinstated in a position, which is in the same classification as the one left, and they will receive full credit for the time spent in the Uniformed Forces provided that:

1. A copy of the military orders is submitted to the employee's Manager and Human Resources as soon as practicable.
2. Service is not for more than five (5) years unless the additional service time qualifies as an exception under USERRA.
3. The employee is released from service under honorable conditions.
4. Employee requests for reinstatement in a timely manner as follows:
 - a. Less than 31 days service – The employee must return by the beginning of the first regularly scheduled work period after the end of the last calendar day of duty, plus the time required to return home safely.
 - b. 31 to 180 days – Request for reemployment must be submitted no later than 14 days after completion of an employee's service.
 - c. 181 days or more – Request for reemployment must be submitted no later than 90 days after completion of an employee's service.

Benefits

1. Insurance and Retirement – All VPRA-paid benefits continue in accordance with Federal Law or to comply with the plan documents.
2. Holidays – An employee on Leave of Absence – Military shall not be entitled to receive holiday pay if a holiday falls during the leave period.
3. Military Leave – 15 workdays of military leave will be credited on October 1 to be used for drills, training and/or active duty. When utilizing military leave, the VPRA will pay the difference between their gross military earnings, including allowances for housing and other stipend, and the employee's base pay as long as military pay is less than base pay.
4. Paid Time Off (PTO)/Legacy Leave – Available PTO/Legacy leave may be used for any portion of a Leave of Absence - Military.

Employees returning from Military Leave will earn PTO from the date of return. However, the amount of PTO earned will be based upon the time they spent with VPRA from the date of hire including military service time.

Employees will retain and accrue seniority during such leave or extension. Leave of Absence – Military is not considered a break in service.

Military Reserve Training

Purpose: To provide time off for military reserve duty.

Applies To: All Employees

Policy: Employees who are members of an Active Reserve Force or The National Guard will be granted leave to attend monthly drills and annual training. Such employees should notify their Manager and Human Resources by submitting a copy of their military orders at least two (2) weeks in advance, or as soon as practicable. Should work demands require an employee's presence, the Manager may request them to defer or rearrange their training schedule, if possible.

Eligible employees will be credited 15 workdays of military leave on October 1 to be used for drills, training and/or active duty. When utilizing military leave, the VPRA will pay the difference between their gross military earnings, including allowances for housing and other stipend, and the employee's base pay as long as military pay is less than base pay. The employee must submit a military leave and earnings statement to confirm their eligibility and to calculate the amount due. Employees have the option of using PTO/Legacy leave in lieu of Military Leave. However, employees may not use PTO/Legacy leave when using Military Leave.

In addition, this policy provides continued salary for employees in the Virginia's militia called up by the Governor to respond to natural or man-made disasters. VPRA will pay the difference between their gross militia earnings, including allowances for housing and other stipend, and the employee's base pay as long as militia pay is less than base pay. The employee must submit a militia leave and earnings statement to confirm their eligibility and to calculate the amount due. The militia of the Commonwealth of Virginia consists of the National Guard, which includes the Army National Guard and the Air National Guard; the Virginia State Defense Force; and the Naval militia. This time will not be charged to military leave.

Employees who have exhausted military leave or choose not to use military leave may use PTO/Legacy leave. If PTO/Legacy leave is not used or exhausted, the employee will be placed in Leave-Without-Pay (LWOP) Military status.

Normal insurance benefits will continue during the military training leave.

The employee is expected to return to work the first working day following the termination of the leave period.

Paid Time Off

Purpose: The VPRA provides Paid Time Off (PTO) to all full-time employees. PTO is paid time away from work that can be used for vacation, personal time, personal illness or time off to care for dependents. PTO must be scheduled with reasonable advance notice and an employee must have supervisory approval prior to taking PTO, except in the case of illness or emergency. The PTO policy replaces all prior leave policies, including sick and vacation policies, and they are null and void.

Applies To: Full-Time Employees

Regular full-time employees are eligible for PTO. In general, all periods of full-time employment with the VPRA will count in setting the accrual rate for PTO. Periods of leave without pay (LWOP) of more than 14 consecutive calendar days (unless such leave is required by law) and/or a break-in-service, normally do not count as service time. Adjustment of the leave is required to record such LWOP and break-in-service periods.

New Hires and Rehires

New hires and rehires are given PTO on the date of hire in the amount set forth below, as applicable. The “Years of Service” includes prior service time with the Commonwealth of Virginia. In the first calendar year of employment for new hires and rehires, PTO eligibility is determined by the month in which employment begins. New and rehired employees will be given a prorated amount of PTO covering the amount of time left in the year. Rehired employees who return to work within 12 months will continue their previous years of service as it pertains to annual PTO days. Those rehired employees who return after 12 months will start from zero.

Policy: Amount of PTO

Employees will be credited with the full year of PTO on the first day of the calendar year. While employees have the full “bank” of PTO on the first day of the calendar year, PTO is accrued on as described below. Therefore, any employee who uses PTO in excess of the accrued amount and subsequently ends employment, whether voluntarily or involuntarily, will be liable to the VPRA for payment of the amount of time over the actual accrued PTO. No PTO shall be earned until it has been taken or it has otherwise been paid.

Additional PTO may be negotiated as part of an individual employee offer and/or employment contract.

Years of Service	Accrual Per Pay Period	Annual PTO	Annual PTO Days
Under 5 Years	8	192	24
5 - 9 Years	10	240	30
10 - 14 Years	11	264	33
15 - 19 Years	12	288	36
20 - 24 Years	13	312	39
25 or More Years	14	336	42

Carryover of PTO

The maximum amount of PTO leave that an employee may carry over at the end of each calendar year:

Years of Service	Annual PTO
Under 5 Years	192
5 - 9 Years	240
10 - 14 Years	264
15 - 19 Years	288
20 - 24 Years	312
25 or More Years	336

Note: The head of VPRA Human Resources or their designee may grant an exception to the limit of accrued PTO leave that may be carried over into the next year when employees have not been allowed to use their leave because of agency work demands over a substantial period of time. Such exceptions must be in writing and will indicate the timeframe during which the employee must use the additional leave time.

Use and Scheduling of PTO

PTO must be scheduled by requesting leave in advance. The manager will review the request and act accordingly. Leave must be scheduled with reasonable advance notice, taking into account the business needs of the agency.

Unapproved PTO Leave Requests

When an employee takes PTO leave time that was requested but not approved, the employee will be subject to the following actions:

- The absence will be designated as unauthorized
- The employee will not be paid for the time missed
- The VPRA may take disciplinary action under the Standards of Conduct.

PTO Leave Accrued, Used, or Paid in Error

Each employee is accountable for knowing their correct leave balance and accrual rate. If it is discovered that an employee has accrued or used PTO leave in excess of the amount to which they was entitled, incorrect balances must be corrected, and the employee will be required to repay the VPRA for leave taken in error.

PTO and Suspension Pending Investigation or Outcome of Court

An employee on LWOP during suspension pending an investigation or the outcome of a court proceeding may or may not use PTO leave to continue receiving pay, to be determined at the discretion of the head of VPRA's Human Resources or their designee.

If the investigation results in no disciplinary action, any PTO leave applied to the period of suspension shall be reinstated and any accruals not received will be credited to the employee's PTO leave balance.

Disciplinary suspensions after an investigation or outcome of court proceedings under the Standards of Conduct Policy are without pay. Employees may not use PTO Leave to avoid pay loss during a disciplinary suspension.

Compensation for PTO Not Taken

If an employee separates from service after six months or more of employment, an employee will be paid for the unused PTO accrued by the employee.

Compliance with Laws

This policy shall at all times be administered in compliance with state and federal law, including the Americans with Disabilities Act and the Family Medical Leave Act.

Retirement

Purpose: To provide retirement income to employees and to allow employees to save for retirement on a tax-deferred basis.

Applies To: All Regular Employees

Policy: VPRA employees are eligible for membership in the Virginia Retirement System (VRS) or other retirement plans authorized by Article 4 (Section 51.1-125 et seq.) Prior service with the Commonwealth of Virginia qualified under VRS will transfer for employees of the VPRA.

VPRA offers a deferred compensation plan that allows employees to save for retirement on a tax-deferred basis. Employees may defer a percentage of their base pay, through payroll contributions, each pay period into a variety of mutual funds. Contributions are deducted from pay before federal and state income taxes are withheld and taxes on contributions are postponed until the money is withdrawn. All earnings on contributions also accumulate tax-deferred until withdrawn.

The maximum amount that can be deferred each year is set by the IRS. Current year maximums are available from Human Resources. Changes in contribution are effective the first pay period of the next month.

The IRS has placed restrictions on access to deferred compensation accounts while an employee is working. Distributions can be made only in the event of retirement, termination of employment, disability, death, or financial hardship (as defined by the IRS). The plan allows for loans from the employee's account. Please contact Human Resources for information.

The type of retirement plan offered and VPRA's contribution vary based on an employee's date of hire. Additional information and details are available from Human Resources.

Severance

Purpose: To provide severance benefits to eligible who have been involuntarily separated from the VPRA.

Applies To: All Regular Employees

Policy: Employees that are involuntarily separated due to layoff from budget reductions, agency reorganization, work force downsizing, or other causes not related to the job performance or conduct of the employee, but shall not include voluntary resignations are eligible for severance benefits according to Virginia DHRM policy, including the provisions of the Workforce Transition Act (WTA).

Severance benefits include:

- the employer share of the cost of the employee's health insurance plan selected during open enrollment for up to one year
- the employer share of the cost of group life insurance for the employee for up to one year
- salary payments based on the employee's weekly salary with disbursements continued for a specified period of time, determined by the employee's length of continuous salaried state service.

Payments

The number of severance payments received by an eligible employee is based on the employee's years of continuous state service.

Years of Service	Amount of Benefit
2 years or less	4 weeks salary
3 years through 9 years	4 weeks salary plus an additional week for every year over 2
10 years through 14 years	12 weeks salary plus 2 additional weeks for every year over 9
15 years or more	2 weeks salary per year not to exceed 36 weeks of salary

Statement of ERISA Rights

Purpose: To comply with Federal Law.

Applies To: All Employees

Policy: As a participant in VPRA ERISA qualifying benefit plans, you are entitled to examine the Plan documents and the annual report and plan description filed with the U.S. Department of Labor. This inspection may be made during normal business hours; make arrangements with the Human Resources Office.

Wellness

Purpose: To provide economic security and promote wellness to VPRA employees.

Applies To: All Employees

Policy: Insurance

VPRA is interested in the health and well-being of employees and their families and a comprehensive benefit program is available. The VPRA provides its regular employees with a comprehensive group insurance program which includes employee and dependent group health coverage, core life and short-term and long-term disability.

Health Insurance

Health coverage includes medical, dental, vision, and prescription drug benefits. Details on the plans, including premium costs, are available from Human Resources.

Life Insurance

If you are a regular employee of VPRA, you are covered by Group Life Insurance. Under this plan, your basic employee life insurance coverage is

equal to two times your annual salary.

Disability

If you are a regular employee of VPRA, you are covered by group short-term and long-term disability under the Virginia Sickness and Disability Plan. Under this coverage, your benefit is equal to 60% of your annual base pay.

Regular employees are eligible for coverage on the first day of the month following their date of hire, without having to submit evidence of insurability. The employee cost for each coverage will be provided during the benefit enrollment period.

Leave of Absence

Employees on a leave of absence must make arrangements to continue premium payments while on a Leave of Absence.

Changes in Dependent Status

In accordance with Federal Law, the employee, or a family member, has the responsibility to inform Human Resources of a marriage, divorce, legal separation, or a child losing dependent status under the group insurance program. If coverage is lost due to termination of employment, coverage may extend after employment terminates under appropriate circumstances and, as to dependents, may extend under guidelines of the Law.

Employee Assistance Program

VPRA provides an Employee Assistance Program (EAP) designed to provide confidential counseling, assessment, and referral services to help employees cope with problems that may affect their ability to perform their job efficiently. Services are confidential and without charge. The EAP will provide counselors to assist in a wide range of personal and job issues, including:

Job Stress

- Anxiety
- Depression
- Marital Distress
- Grief & Loss
- Substance Abuse
- Legal Concerns
- Family Distress
- Financial Concerns

Human Resources can provide additional information regarding those persons, entities, and organizations that are available to provide assistance.

Workers Compensation

Purpose: To Comply with Workers Compensation laws.

Applies To: All Employees

Policy: All employees are covered by workers' compensation insurance, which compensates an employee for lost time, medical expenses and loss of life or dismemberment from an injury arising out of or in the course of work. Employees must immediately report any accident or injury to their manager and Human Resources so that the necessary paperwork may be completed.

If an injury occurs, the manager is responsible for completing the Accident Report outlined in the Incidents and Injuries at Work policy.

It is the employee's responsibility to cooperate fully with the investigation of any reported accident. Any employee who does not cooperate or who leaves the scene of an accident may be subject to disciplinary action.

The employee must return to work the first working day they are released by the attending physician. A written release form by the attending physician will be required. An employee who does not report to work on the first working day they are released by the attending physician will be considered to have voluntarily resigned.

Parental Leave

Purpose: To recognize the benefits to employees and their families of meaningful bonding time upon the birth or placement of a child.

Applies To: Regular full-time employees

Policy: Eligibility
Employees who become parents via birth, adoption, or foster or custodial care and (a) have been employed by the Virginia Passenger Rail Authority for a minimum of twelve months and (b) who have worked for at least 1,250 hours in the previous 12-month period.

Eligibility determinations are made as of the date that the child is born or placed via adoption or foster or custodial care.

If both parents work for the Virginia Passenger Rail Authority and meet the eligibility criteria, each parent is entitled to Parental Leave.

Leave Amount

Eligible employees are to receive up to eight (8) weeks of paid Parental Leave to be used within eight (8) weeks of the birth/placement of a child for any one or more of the following reasons:

- To give birth to, care for, and bond with a newborn child.

- To care for and bond with a child placed with the employee through adoption or foster care or a legal custodial arrangement.
- To supplement disability benefits following the birth of an infant.

Leave Usage

Parental Leave must be used within eight weeks of the birth of an infant or placement of a child.

- Eligible employees may charge Parental Leave in one continuous period of time.
- Employees may request intermittent use of Parental Leave subject to the manager's approval. Managers are not required to approve the use of intermittent paid Parental Leave.
- The eight weeks of Parental Leave may be used only once per child and only once within a 12 month period.
- Unused Parental Leave is forfeited eight (8) weeks from the date of the birth/placement.
 - Unused Parental Leave is not compensable if an employee separates from service with the Virginia Passenger Rail Authority.
 - Parental Leave terminates at the conclusion of the foster or custodial care placement or within eight (8) weeks of the placement, whichever comes first.

FMLA Job Protection: Employees using paid Parental Leave are afforded the remaining job protection under FMLA for an absence up to a total of twelve (12) weeks (480 hours). They may use PTO, Legacy Leave, Annual Leave, or take leave without pay to cover the additional absence. Parental Leave is designated as Family and Medical Leave (FML) and run concurrently with the FML period.

Parental Leave may be used to supplement reduced income replacement disability benefits (STD or VSDP) following the birth of a child.

Employee Responsibility

Employees should submit a written request for Parental Leave at least thirty (30) calendar days prior to the anticipated leave begin date or as soon as practicable.

Note: An employee must comply with VPRA leave request procedures, absent unusual circumstances. Failure to do so may be grounds for delaying or denying an employee's approval for Parental Leave

Certification of Eligibility for Parental Leave

The VPRA may require documentation of the birth or placement in order to approve Parental Leave. Official documents that will be considered, but may not be limited to, are: a report of birth, a birth certificate, an order of parentage, an adoption order, certified DNA test results, a custody order, and a foster care placement agreement. Documents provided should show date of

birth and date of placement if placement was other than the date of birth.

Definitions

- **Access to Parental Leave** – An eligible employee who has provided the appropriate documentation may charge Parental Leave beginning on the date of birth of an infant or date of an adoptive, foster, or custodial care placement of a child. Parental Leave expires eight (8) weeks after the birth or placement.
- **Adoption** - The act of legally and permanently assuming the responsibility of raising a child as one's own.
- **Child** – a newborn biological child or a newly-placed adopted, foster, or custodial child under the age of eighteen.
- **Custodial Care** – A placement authorized by a judgment, decree, or other order of a court providing for the legal and physical custody of a child.
- **Foster Care** – The act of temporarily assuming the responsibility of daily care and supervision for a child removed from their birth family home due to issues endangering their health and/or safety. Parental Leave may be used for temporary arrangements made through local departments of social services with the intent of reuniting the child with their birth family if possible.
- **Parent** – Legally recognized biological, adoptive, foster, or custodial parent.

EMPLOYEE RELATIONS

DRAFT

Standards of Conduct

Purpose: To set forth the Commonwealth's Standards of Conduct and the disciplinary process that agencies must utilize to address unacceptable behavior, conduct, and related employment problems in the workplace, or outside the workplace when conduct impacts an employee's ability to do his/her job and/or influences the agency's overall effectiveness.

Applies To: All Employees

Policy: It is the policy of the Commonwealth to promote the well-being of its employees by maintaining high standards of work performance and professional conduct.

Employees are expected to contribute to the success of an agency's mission in the following ways:

- Report to work as scheduled and seek approval from their supervisors in advance for any changes to the established work schedule, including the use of leave and late or early arrivals and departures.
- Perform assigned duties and responsibilities with the highest degree of public trust.
- Devote full effort to job responsibilities during work hours.
- Maintain the qualifications, certification, licensure, and/or training requirements identified for their positions.
- Demonstrate respect for the agency and toward agency coworkers, supervisors, managers, subordinates, residential clients, students, and customers.
- Use state equipment, time, and resources judiciously and as authorized.
- Support efforts that ensure a safe and healthy work environment.
- Utilize leave and related employee benefits in the manner for which they were intended.
- Resolve work-related issues and disputes in a professional manner and through established business processes.
- Meet or exceed established job performance expectations.
- Make work-related decisions and/or take actions that are in the best interest of the agency.
- Comply with the letter and spirit of all state and agency policies and procedures, the Conflict of Interest Act, and Commonwealth laws and regulations.
- Report circumstances or concerns that may affect satisfactory work performance to management, including any inappropriate (fraudulent, illegal, unethical) activities of other employees.
- Obtain approval from supervisor prior to accepting outside employment.

- Obtain approval from supervisor prior to working overtime, if non-exempt from the Fair Labor Standards Act (FLSA).
- Work cooperatively to achieve work unit and agency goals and objectives.
- Conduct themselves at all times in a manner that supports the mission of their agency and the performance of their duties

Attendance

Purpose: To ensure consistent treatment of all employees as to attendance.

Applies To: All Employees

Policy: Employees should notify their Manager at least one (1) day in advance of an expected absence.

If the absence is unexpected, the employee is to personally call prior to the beginning of their workday and report the absence to the Manager. Messages should not be left with a non-supervisory employee but must be given to the Manager or designated representative.

All absences, in excess of two (2) consecutive work days, for medical reasons, will require a written statement from the attending licensed physician. Upon return to work, the attending licensed physician's statement should document the length of absence and authorize a return to work.

Absence from work for three (3) consecutive days without notifying your Manager will be considered a voluntary resignation.

Excessive Leave

Prescheduled times away from work using accrued PTO are not considered occurrences for the purpose of this policy. This policy does not apply to leave under FMLA, disability or Workers' Compensation.

Unscheduled Absence

An unscheduled absence occurs when an employee misses more than three hours of work within a normal workday without providing at least 24 hours' advance notice to their Manager of the need to be absent, and/or when their Manager does not approve a request for time off. In general, five (5) unscheduled absences in a 90-day period, or a pattern of unscheduled absences, will be considered excessive.

An absence of multiple, consecutive days due to the same illness, injury or other incident will be counted as one occurrence for the purpose of this policy.

Tardy

A tardy arrival, early departure or other shift interruption is considered a one-

half occurrence. Arrival and departure times will be determined by the time on the time keeping system used in each department. An employee is considered late if they report to work after the scheduled starting time; an early departure is one in which the employee leaves before the scheduled end of their shift.

If an employee is scheduled to work overtime and either fails to report or reports after the scheduled start time, an occurrence will be charged as noted above.

Step Discipline

Absences and tardiness or early departure will be counted together but are assigned different levels of severity. Each absence is considered one occurrence; tardiness/early departures are each one-half an occurrence.

Occurrences are counted in a rolling 90-day period.

5th occurrence total	Counseling Memo
6th absence or tardiness	Written Notice
7th absence or tardiness	Risk of Termination

The direct Manager and the Human Resources Business Partner will deliver all warnings.

No-Call/No-Show

Not reporting for work and not calling to report an absence is a no-call/no-show and is a serious matter. The first instance of a no-call/no-show will result in a Reprimand. The second separate offense may result in termination of employment with no additional disciplinary steps.

If the employee has already begun the step discipline process for attendance/punctuality when a no-call/no-show occurs, the disciplinary process may be accelerated to the final step.

Management may consider extenuating circumstances when determining discipline for a no-call/no-show and has the right to exercise discretion in such cases.

Management reserves the right to use its discretion in applying this policy.

Although occurrences will roll off an employee's record after 90-days, habitual offenders (those who have established a pattern of absences, such as consistently having six or more occurrences in any given 90-day period or routinely absent or tardy on Mondays or Fridays) may trigger step discipline even though 90-day old infractions have fallen off, if they continue to incur occurrences.

Communications

Purpose: To establish a means of communicating with employees utilizing different media.

Applies To: All Employees

Policy: Successful working conditions and relationships depend upon strong communication. Employees should maintain awareness of changes in procedures, policies and general information, and be encouraged to communicate ideas, suggestions, personal goals or problems that affect work.

In addition to the exchanges of information and expressions of ideas and attitudes which occur daily, employees should be aware of and utilize all methods of communication, including this Policy Manual, bulletin boards, discussions with Managers, memoranda, staff meetings, newsletters, training sessions, etc.

VPRA intranet is the primary method to convey official VPRA information to employees to keep them informed about new policies, changes in procedures and special events. Employees are encouraged to read bulletin board(s) and the intranet regularly so that they will be familiar with the information posted.

Bulletin Boards

Bulletin Boards, both physical and virtual, will be used to display notices required by federal and state laws. Human Resources or Public Affairs will be responsible for distributing all notices.

Discrimination and Harassment

Purpose: To abide by all Federal and State laws pertaining to employment and to deal fairly and honestly with applicants and employees.

Applies To: All Employees

Policy: VPRA is an equal employment opportunity employer. Discrimination in wages, benefits and all other privileges, terms and conditions of employment is prohibited. VPRA fills its job requirements by selecting, from the available labor force, those applicants who are best qualified to perform the work.

VPRA is dedicated to a policy of prohibiting harassment and discrimination in hiring and employment because race (including traits historically associated with race such as hair texture, hair type, and protective styles), color, religion, sex, sexual orientation, gender identity or expression, genetic information discrimination, disability status, marital status, pregnancy, childbirth or related medical conditions including lactation, age, status as a veteran, national origin, or any other characteristic protected by federal, state, or local laws.

Depending on the circumstances, conduct that, even if not objectionable to some employees, creates a working environment that may be considered by others to be hostile or offensive on the basis of race (including traits historically associated with race such as hair texture, hair type, and protective styles), color, religion, sex, sexual orientation, gender identity or expression, genetic information discrimination, disability status, marital status, pregnancy, childbirth or related medical conditions including lactation, age, status as a veteran, national origin, or any other characteristic protected by federal, state, or local laws may amount to harassment.

VPRA promotes a productive work environment and does not tolerate verbal or physical conduct by any employee that harasses, disrupts, or interferes with another's work performance or that creates an intimidating, offensive, or hostile environment.

VPRA expects all employees to accomplish their work in a business-like manner. Therefore, harassment is strictly prohibited whether on VPRA premises or not and whether it occurs during working hours or involves employees during nonworking hours. Violations of this policy will be dealt with promptly and seriously. Employees who violate this policy will be promptly disciplined, up to, and including, discharge.

If any employee believes that the conduct of another employee is in violation of this policy, the employee must immediately report such conduct to VPRA management. This complaint must be reported to the Human Resources Department, the Ethics and Compliance Hotline, or a higher level of VPRA management the employee deems necessary to correct the problem. Any employee who believes they are a victim of harassment has a duty to report this right away.

Any complaints or concerns about harassment will be treated seriously and will be investigated promptly and resolved as is appropriate under the circumstances. VPRA will treat all such reports as confidentially as possible, including only those persons with a need to know such information, and otherwise as required by law. Moreover, special privacy safeguards will be observed in handling sexual harassment complaints.

VPRA will not retaliate in any way against any employee for making a good faith report of alleged harassment or participating in VPRA's investigation of a report, regardless of the outcome of its investigation. VPRA also will not tolerate retaliation by the alleged harasser. Any alleged harasser who violates this policy may be disciplined, up to and including discharge.

Sexual Harassment

This policy includes the prohibition of sexual harassment, both as to sexually oriented requests or attention by anyone, including Managers, coworkers,

clients, customers or visitors, and as to the working environment in general. All employees are responsible for assuring that the workplace is free from sexual harassment and its effects.

Behavior that constitutes sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting that individual;
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

All employees must avoid any action which could be considered as sexual harassment, including:

1. Unwanted physical contact or conduct of any kind, including sexual flirtations, touching, advances, or propositions;
2. Verbal harassment of a sexual nature, such as lewd comments, sexual jokes or references, and offensive personal references;
3. Demeaning, insulting, intimidating, or sexually suggestive comments about an individual;
4. The display in the workplace of demeaning, insulting, intimidating, or sexually suggestive objects, pictures, photographs, or clothing;

Demeaning, insulting, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages.

Distribution or Sales

Purpose: To protect employees from outside distractions while they are working and provide for better productivity.

Applies To: All Employees

Policy: VPA and its employees find unwanted solicitations disruptive. Accordingly, employees are not permitted to solicit other employees for any reason during working time or to distribute literature to fellow employees during working time in working areas. Working time includes all time during the day when employees are required and expected to be in their work areas or engaged in work-related duties. Working time does not include authorized break time or lunch hours. Working areas do not include the break areas or parking areas.

Solicitors or agents who are not employees of VPRA are not permitted to solicit employees or guests or to distribute literature on VPRA premises at any time during the workday unless they have permission to do so from Human

Resources.

Drug, Alcohol, and Substance Abuse

Purpose: VPRA is committed to providing a drug-free work-place to protect the health and safety of employees and to ensure our customers receive efficient service.

VPRA also recognizes alcoholism and other substance dependency as a disease or illness, which should be treated. The very existence of chemical dependency is sufficient to adversely impact VPRA's ability to confidently task an employee with their job responsibilities.

Applies To: All employees

Policy: Employees are expected to be in a suitable mental and physical condition while at work, allowing employees to perform their job effectively and safely. The manufacture, distribution, dispensing, possession, or use of a controlled or illegal substance or alcohol is prohibited during working hours or on VPRA property. Employees who report to work under the influence of alcohol or drugs are in violation of this policy. Employees are also prohibited from consuming alcohol or drugs during breaks and lunch periods on or off VPRA premises. The sole exception to this policy will be VPRA sponsored activities, which have the approval of the Executive Director.

All prospective new employees will be required to submit to a pre-employment drug and alcohol testing. An offer of employment will be contingent upon the satisfactory results of these screenings. After hiring, and as a requirement of continued employment, employees will be subject to testing under the situations, circumstances or conditions listed below which include but are not limited to:

1. When an employee's Manager has a reasonable suspicion that the employee is intoxicated or under the influence of drugs or alcohol.
2. Following an accident at work or on VPRA business.
3. Routinely but only as part of a physical examination.
4. Random testing of employees.
5. Periodic as a follow-up measure to positive results.
6. Following a self-referral for, or court-ordered, treatment.

Under the following circumstances an employee may be subject to immediate termination:

1. When an employee is found in possession of illegal drugs or alcohol or when suspected illegal drugs or alcohol are found in an area controlled or used exclusively by the employee, such as the employee's office, VPRA vehicle or personal vehicle, which is on VPRA property.

When an employee refuses to cooperate in testing procedures. The employee

will be told the reasons for the request to submit to testing. Any employee refusing to do so will be informed that this refusal constitutes failure to obey a direct order (insubordination) and is grounds for termination. The presence of an adulterant in a sample is considered “refusal to be tested” and will also be grounds for termination.

1. Failure to enter into and complete rehabilitation treatment.
2. In instances when an employee, as the result of the use of alcohol or drugs, presents a clear and obvious hazard to themselves or others.
3. Failure to notify VPRA of the conviction of a drug/alcohol-related crime.

VPRA will assist employees found to have used alcohol and drugs by referring them to appropriate VPRA designated facilities. If, after completing the rehabilitation process, an employee fails to remain alcohol and drug free such employee will be terminated.

Observed use of drugs/alcohol is sufficient justification to be reported by employees to Human Resources.

The results of all testing will be kept independently of each individual's personnel record. Disclosure regarding the results will be made only to those management personnel who require such information, when consulting legal counsel in actions, or when such information is relevant to its defense in civil or administrative matters. Employees understand and agree that such disclosure may be made by VPRA.

An employee must notify Human Resources of any criminal drug and alcohol conviction no later than three (3) workdays after such conviction.

Identification Cards

Purpose: To facilitate security screening of employees and others entering and working on VPRA facilities.

Applies To: All employees

Policy: In order to restrict access to and maintain safety at VPRA facilities, all employees are required to wear the VPRA Identification card (ID card) provided by Commonwealth of Virginia Department of Health and Human Resource (DHRM).

Each employee of VPRA is required to wear the ID card at all times while at VPRA facilities.

Tenants and contractors of VPRA and their employees, agents, contractors and subcontractors are required to wear the ID card while at VPRA facilities.

Visitors to VPRA are required to wear a visitor's VPRA identification card at all times while at VPRA facilities.

ID cards must be returned prior to leaving VPRA. Employees are prohibited from loaning ID cards to other employees or any unauthorized individual. VPRA should be notified immediately if any card is lost or misplaced. There may be a fee to replace a lost or damaged card.

ID cards have expiration dates. Employees are required to renew their cards prior to the expiration date. VPRA ID Card Request Form may be obtained from Human Resources. The completed form, signed by the employee's Manager or Human Resources, must be taken to the DHRM ID office for renewal.

Performance Evaluations

Purpose: It is the policy of VPRA that the job performance of each employee should be evaluated periodically by the employee's Manager.

Applies To: All employees

Policy: Employees will annual performance evaluations.

Employees hired on or after April 1st will not receive an annual evaluation in their first year of hire.

Between scheduled appraisals, Managers should discuss with employees on an informal basis any performance issues that warrant attention and should document any significant incidents.

Managers may conduct interim evaluations at the midpoint of the employee's evaluation period when necessary to assess an employee's overall performance.

The annual evaluation is structured around goals and competencies. The evaluation should also include the Manager's comments and recommendations for improvement.

To the extent possible, evaluations should reflect performance levels for the entire performance cycle. The following types of leave taken must not be used to negatively impact the employee's overall performance: workers' compensation, military leave, Family and Medical Leave, Short-term Disability, and Long-Term Disability. However, the time an employee actually works during the performance cycle may impact the percentage of performance increase they are eligible to receive.

Department Directors should review each Manager's written evaluation to help assure that the evaluation function has been properly completed in a fair

and objective manner. After the evaluation has been reviewed by the Department Director, the Manager and employee should meet and discuss the evaluation, assess the employee's strengths and weaknesses in a constructive manner, and review objectives and goals set for the period ahead. The employee should be given the opportunity to examine the evaluation and make any comments. The employee should then sign and date the evaluation and forward it to Human Resources for review and inclusion in the employee's personnel file.

In the event that an employee receives an overall "Fails to Meet Job Performance Expectations," the Manager, with the assistance of their Human Resources Business Partner, must develop and implement a Performance Improvement Plan (PIP).

If an employee is on leave without pay, or is on an active PIP, any pay increase will be effective upon return to work or satisfactory completion of the PIP.

Personal Appearance

Purpose: To promote a positive image and encourage employees to dress for the day they have planned.

Applies To: All Employees

Policy: The VPRA dress code is "Dress for Your Day," which allows employees to choose the attire that fits their schedule, environment, and location.

Dress for Your Day encourages employees to dress professionally and appropriately for the day they have scheduled. Nice jeans or slacks paired with other business casual clothing are allowed.

More formality in appearance may be required for customer interactions or outside networking. Regardless of the level of formality of a work event or activity, as representatives of VPRA, employees are always expected to maintain a clean and professional look.

Under any circumstances, employees may not wear suggestive attire or any other items of casual attire that do not present a businesslike appearance. Examples of inappropriate clothing and shoes include clothing that is ripped, frayed, disheveled, tight, or revealing; shorts, leggings, exercise wear, sweatpants, sweatshirts, t-shirts, beachwear, crop tops, midriffs, spaghetti straps, flip flops, athletic shoes, and crocs.

On some days, the demands of the job may require employees to compromise and adjust from what employees may choose to wear. We ask that everyone use good judgment. When in doubt, employees should always err on the side of attire that is appropriate and professional.

Any employee who does not meet the standards of this policy, determined by the Manager and/or Human Resources, will be required to take corrective action, which may include leaving the premises. Work time missed because of failure to comply with this policy will not be compensated, and repeated violations of this policy will be cause for disciplinary action.

VPRA may restrict the wearing or display of any other item of personal appearance, which is deemed to be controversial or personally offensive in the workplace.

Disciplinary Procedures

Purpose: To outline procedures for handling rule violations and ensure fair and consistent treatment of employees.

Applies To: All Regular and Part-time Employees

Policy: Disciplinary action is given only for the purpose of preventing a recurrence of the cause of the action.

Discipline is never intended to embarrass the employees or “get even.” In every case where disciplinary action is being considered, the employees will be given every opportunity to explain their actions and discuss their viewpoint.

Essentials of Disciplinary Action

1. Have all the facts. Check with witnesses. Be sure who did what. Ask the person for his/her side of the story.
2. Listen to the employee’s response.
3. Provide a clear explanation to the offender of exactly what was wrong.
4. Give patient and thorough instruction (where possible, demonstration) to the employee on how to do the work correctly or conduct themselves properly.

No employee may be terminated on the spot for any reason. If a Manager feels that an employee has committed an act which should lead to immediate termination, they should immediately contact their HR Business Partner.

When a Manager feels disciplinary action is necessary, they should first contact Human Resources to determine an employee’s disciplinary history. After determining the level of disciplinary action required, Human Resources will prepare any necessary forms. The forms will be forwarded to the Manager.

Managers should attach a description of the events relating to the discipline to the warning form. The original of the warning will be placed in the employee’s personnel file.

Forms of Progressive Discipline

All disciplinary action is limited to one of the following and should be administered as explained below:

Warning – The warning will be communicated to the employee by the immediate supervisor. The employee will have the opportunity to give their side of the story in writing. A copy of the warning will be given to the employee, the Manager, and the Department Director. The employee is requested to sign this warning.

Reprimand – The reprimand will be communicated to the employee by the immediate supervisor. The employee will have the opportunity to give their side of the story in writing.

A copy of the reprimand will be given to the employee, the Manager, the Department Director, and the Division Chief. The employee is requested to sign the reprimand. A reprimand requires the employee to meet with a counselor from the VPRA's Employee Assistance Program.

Termination – A decision to terminate must be approved by the Division Chief and Human Resources.

An employee absent from work due to a disciplinary action may use leave in order to be paid. The VPRA reserves the absolute right to waive any of the Policy Manuals' disciplinary procedures when an employee's conduct is, in the sole discretion of the VPRA, contrary to the best interests of the VPRA or fellow employees. Under such circumstances, the employee in question may be immediately discharged by the VPRA.

Some of the more obvious unacceptable activities are noted below. If you have any questions concerning any work or safety rule, or any of the unacceptable activities listed, please see your Manager.

Occurrences of any of the following may result in dismissal without warning. This list is not all-inclusive, but is illustrative:

- Absent three (3) consecutive days without notice.
- Any act of harassment, sexual, racial or other.
- Any deliberate action that is extreme in nature and is obviously detrimental to the VPRA.
- Deliberate falsification of one's own time card or time sheet or willfully and deliberately punching or altering the time card or time sheet of another employee.
- Dishonesty or removal of another employee's property, VPRA property or any property without permission.
- Electronic recording, tape or video, of any conversations with respect to VPRA business.
- Falsifying information or records.

- Gambling on VPRA premises.
- Instigating fighting or physical violence on VPRA property.
- Negligence or any careless action which endangers the life or safety of another person.
- Possessing controlled or illegal substances or consuming controlled or illegal substances on VPRA property.
- Possessing intoxicants or consuming intoxicants on VPRA property. (Except at VPRA approved events.)
- Possessing weapons on VPRA property.
- Threatening, intimidating or coercing fellow employees on or off the premises.
- Unauthorized disclosure of proprietary information.
- Violation of security rules

Occurrences of any of the following may result in a warning, reprimand, or dismissal. This list is not all-inclusive, but is illustrative:

- Absent without notifying Manager.
- Abusive language.
- Damaging VPRA property intentionally or through acts of negligence.
- Deliberate acts aimed at hindering or interfering with work schedules of others.
- Deliberate failure to daily time.
- Failure to provide attending licensed physician's statement when absent two or more days.
- Failure to report an accident or injury at work within specified time.
- Failure to report conviction of a motor vehicle moving violation which affects status under Automobile Usage Policy or suspended/revoked license.
- Insubordination – refusal to perform service connected with one's job or refusal to obey any reasonable order given by management.
- Leaving one's regular working area during work hours for any reason other than in the line of duty or without authorization from the Manager, except for meal and rest periods.
- Misconduct.
- Mistakes due to carelessness or failure to get necessary instructions.
- Unsatisfactory performance on the job.
- Misuse of Leave.
- Reporting for work under the influence of intoxicants or controlled or illegal substances.
- Safety or Environmental violations
- Sleeping on the job.
- Smoking, eating or drinking in unauthorized area.
- Soliciting, collecting, or selling for any purpose or distribution of literature of any kind on VPRA property.
- Violation of Communication Systems Policies.

Grievance Process

Purpose: To outline procedures for the employee grievance process.

Applies To: All Employees

Policy: The VPRA seeks to maintain a comfortable working environment for its employees. This is accomplished by having direct communications with employees and ensuring that each and every employee can speak directly and openly with management, especially when the employee has a problem or a grievance.

All employees, unless otherwise noted in an individual employee contract, of the VPRA are what is known under the law as employees “at will”. At will employees are not employed for a contractual period of time, but instead the employment may be terminated whenever desired with or without notice or cause.

If performance is unsatisfactory due to lack of ability or failure to fulfill the requirements of the job, your supervisor will notify you of this and try to help you remedy the situation. If this does not succeed, it may result in your termination of employment. Another type of termination of employment may result if your services are no longer needed due to business or other situations.

The following process and communications shall be taken when an employee has a problem or a grievance, the employee may take the following steps:

1. Bring the matter to the attention of your immediate Manager. Your Manager is most familiar with you and your job and is, therefore, in the best position to assist you.
2. If your Manager cannot resolve the matter to your satisfaction, bring it to the attention of Human Resources who will arrange a meeting between you and your Manager, or if Human Resources believes the situation warrants it, between you and the next level of management.
3. The final step in the grievance or problem solving process is a meeting with the Division Chief, which shall be facilitated by Human Resources. The Division Chief will make a recommendation to Human Resources who will make a decision involving the grievance within 3 (three) business days of the meeting. This decision is final and is not appealable.

At each stage in the process, the employee will be given a full and fair opportunity to present the facts as he or she sees them and the Manager or member of senior management considering the grievance shall give the grievance or problem full and careful consideration.

Employees are not permitted to be represented by a lawyer or any other

person at the aforementioned grievance meetings. This grievance procedure is designed to afford due process to an employee with a grievance.

Final decisions on grievances will not be precedent setting or binding on future grievances unless they are officially adopted as VPRA policy. Initiation of the grievance procedure by an employee will not limit the right of VPRA to proceed with any disciplinary action pending against the employee.

Employees who are involuntarily terminated as a result of disciplinary action, or who disagree with their termination, may file a grievance to the Division Chief within 5 (five) business days from the date of termination. The Division Chief will consult with Human Resources, and a decision will be made within three (3) business days of receiving the grievance. This decision is final and is not appealable.

SAFETY

DRAFT

Accidents Involving Virginia Passenger Rail Authority Vehicles

Purpose: To ensure proper handling of all accidents involving Virginia Passenger Rail Authority vehicles.

Applies To: All Employees

Policy: Licensed Automobile Drivers' Responsibilities

Whenever a VPRA (owned or leased) automobile is involved in any accident, the driver must:

Call the local police department to investigate the accident

Follow the instructions carried in the glove compartment of each licensed vehicle.

Notify their Manager and Risk Management immediately. Accidents with injuries shall be reported within four (4) hours. Accidents without injuries shall be reported within twenty-four (24) hours.

Any driver who does not report an accident will be subject to disciplinary action.

Any driver who does not complete these procedures, cooperate fully with the authorities investigating the accident, or who leaves the scene of an accident will be subject to disciplinary action

Housekeeping

Purpose: To ensure work areas are neat and orderly for employees' health and safety.

Applies To: All employees

Policy: Neatness and good housekeeping are signs of efficiency. Employees are expected to keep their work area neat and orderly at all times as a required safety precaution.

Easily accessible trash receptacles and recycling containers are located throughout VPRA offices. All litter and recyclable materials are to be placed in the appropriate receptacles and containers. Always be aware of good health and safety standards, including fire and loss prevention.

Anything that needs repairing or replacing should be reported immediately.

Incidents and Injuries at Work

Purpose: To establish a means of caring for an injured employee, provide reporting for insurance purposes, and to determine the cause and future preventative measures.

Applies To: All Employees

Policy: All incidents must be reported by the employee to their Manager immediately. If an incident, which results in an injury, environmental damage, or property/equipment damage, lost time from work, or medical expense is not reported, the employee may be subject to disciplinary action. Any employee who does not cooperate fully with the authorities investigating the incident or who leaves the scene of an accident will be subject to disciplinary action.

Employees who are certified in First Aid and cardiopulmonary resuscitation (CPR) are permitted to administer first aid and/or CPR.

In the event that the incident requires care beyond first aid, an authorized representative will take the employee to an approved doctor or emergency room unless an ambulance has been called, depending upon the severity of the injury. An ambulance will be called any time an injury may be life threatening.

The manager must submit a completed Virginia Passenger Rail Authority Incident Report within twenty-four (24) hours of the time the incident was reported by the employee.

Medical Screening

Following an incident at work, employees shall be tested for the presence of intoxicants or controlled or illegal substances, at the discretion of the Risk Department. A refusal to be tested shall be grounds for termination. The presence of an adulterant in a sample is considered "refusal to be tested" and will also be grounds for termination.

A completed Drug Screening Authorization should be submitted to the Human Resources Department. Failure to report injuries may result in loss of Workers' Compensation benefits and disciplinary action.

Employees will be notified of positive test results and all information is confidential. Employees whose test results are positive shall receive a Reprimand and report to Human Resources for referral into a treatment and rehabilitation program.

If an employee participates in and successfully completes this program, they will be returned to their former position.

A second offense shall be grounds for termination.

Life-Threatening Illnesses

Purpose: To provide guidance to Managers and co-workers in working with employees with life-threatening illnesses. To ensure reasonable precautions are taken for the safety of the employee and co-workers.

Applies To: All Employees

Policy: The VPRA recognizes that employees with a life-threatening illness, including but not limited to, cancer, heart disease, and AIDS, may wish to continue to engage in as many of their normal pursuits as their condition allows, including work. These employees must be able to meet acceptable performance standards. Performing normal job functions must not exacerbate their condition. Medical evidence must indicate that their condition is not a threat to other workers.

Managers need to be sensitive to the employee's condition and ensure that the employee is treated consistently with other employees. The VPRA seeks to provide a safe work environment for all employees. Therefore, precautions should be taken to ensure that any employee's condition does not present a health and/or safety threat to other employees.

When dealing with situations involving employees with life-threatening illnesses, Managers should:

- Remember that an employee's health condition is personal and confidential, should take reasonable precautions to protect information regarding an employee's health condition.
- Contact Human Resources if they believe that they or other employees need information about terminal illness, a specific life-threatening illness, possible contagion, or if they need further guidance in managing a situation that involves an employee with a life-threatening illness.
- Contact Human Resources to determine if a statement should be obtained from the employee's attending physician that continued presence at work will pose no threat to the employee, co-workers, or customers.
- Make reasonable accommodation for employees with a life-threatening illness provided that any accommodations made do not require significant difficulty or expenses.
- Make a reasonable attempt to transfer employees with a life-threatening illness who request a transfer and are experiencing undue

emotional stress.

Be sensitive and responsive to co-workers' concerns.

- Do not give special consideration beyond normal transfer requests for employees who feel threatened by a co-worker's life-threatening illness.
- Be sensitive to the fact that continued employment for an employee with a life-threatening illness may sometimes be therapeutically important in the remission or recovery process, or may help to prolong that employee's life.

Theft

Purpose: To prohibit theft of company property.

Applies To: All Employees

Policy: Although taking small items of company property may seem inconsequential, the cumulative effect can be very large. The VPRA will not tolerate property theft of any type.

VPRA reserves the right to inspect all packages or closed containers and bags brought into or taken out of the work area.

Violence in the Workplace Prevention

Purpose: The VPRA is committed to preventing workplace violence and to maintaining a safe work environment. The VPRA has adopted the following guidelines to deal with intimidation, harassment or other threats of or actual violence that may occur onsite or offsite.

Applies To: All Employees

Policy: Employees are expected to refrain from fighting, horseplay or other conduct that may be dangerous to others. Conduct that threatens, intimidates or coerces another employee, customer, vendor or business associate will not be tolerated. The VPRA resources may not be used to threaten, stalk or harass anyone at or outside the workplace.

Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities, or violation of any policies that are designed to provide a comfortable workplace environment should be reported as soon as possible to a manager, VPRA police, and Human Resources.

“Violence” includes physically harming another, shoving, pushing, harassing,

intimidating, coercing, brandishing weapons, and threatening, talking about or engaging in those activities. It is the intent of this policy to ensure that no one associated with the VPRA ever feels threatened by any employee's actions or conduct.

"Threats or acts of violence" include conduct against persons or property that is sufficiently severe, offensive or intimidating to alter the employment conditions at the worksite, or to create a hostile, abusive, or intimidating work environment for one or more the VPRA employees or users of VPRA facilities.

The VPRA specifically prohibits the possession of weapons by any employee while on the VPRA property. Employees are also prohibited from possessing a weapon while performing the VPRA business off the premises.

Weapons include guns, knives, explosives, and other items with the potential to inflict harm. Appropriate disciplinary action, up to and including termination, will be taken against any employee who violates this policy.

It is everyone's business to prevent violence in the workplace. The employee can help by reporting what they see in the workplace that could indicate that a co-worker is in trouble. All reports will be investigated and information will be kept confidential.

If an employee should be terminated for violence in the workplace, they will be prohibited from entering all of the VPRA's facilities for any reason.

MISCELLANEOUS

DRAFT

Conflict of Interest

Purpose: The Virginia Passenger Rail Authority's reputation in the community is determined by the work we do, and by the employees who represent us. It is expected that employees will maintain the highest degree of integrity and honesty.

The Governor's Personnel Directive Prohibiting the Receipt of Certain Gifts imposes a stringent standard with respect to the receipt of gifts by state employees, including employees of the Virginia Passenger Rail Authority. The purpose of this policy is to ensure compliance with the Directive, and to further the Authority's commitment to integrity.

Applies To: All Employees

Policy: Employees are expected to represent the VPRA in a positive and ethical manner. The VPRA discourages involvement in any situation which involves or may involve a conflict between employees' personal interest and the interest of the VPRA. As in all other facets of their duties, employees dealing with suppliers, contractors, competitors, or any person doing or seeking to do business with the VPRA, are to act in the best interest of the VPRA. Employees may not engage in, directly or indirectly, on or off the job, any conduct which is disloyal, disruptive, competitive, or damaging to the VPRA.

Conflicts of interest include:

1. Ownership by an employee, or by a member of their family, of an interest in any outside enterprise which does or seeks to do business with or is a competitor of the VPRA.
2. Serving as a director, officer, partner, consultant, or in a managerial or technical capacity with an outside enterprise which does or is seeking to do business with, or is a competitor of, the VPRA.
3. Acting as a broker, finder, go-between, or otherwise for the benefit of a third party in transactions involving or potentially involving the VPRA or its interests.

Employees must disclose any financial interests to Human Resources, including employment, they or their immediate family have in any firm that does business with the VPRA or that competes with the VPRA.

Employees may not accept any business or professional opportunity that is likely to influence the performance of their official duties.

Employees and their immediate family may not accept gifts, except those of nominal value (i.e., items valued at \$25 or less), or any special discounts from any person whose interests may be substantially affected by the performance

of the employee's official duties. This prohibition includes, but is not limited to, gifts or any special discounts from any person or firm doing, or seeking to do, business with the VPRA.

When conflict of interest situations cannot be avoided, the employee involved shall refrain from participating in consideration of the transaction affected by the conflict of interest, unless under special circumstances the VPRA determines that their participation is imperative for the welfare of the VPRA and the public good.

The VPRA, in its sole discretion, will determine what constitutes a conflict of interest. Failure to comply with this Policy may result in penalties provided by law and/or forfeiture of employment.

Gifts

Employees shall not seek or accept for themselves or others any gifts, favors, entertainment, or services without a legitimate business purpose from any persons or business organizations that do or seek to do business with, or is a competitor of, the VPRA.

Pursuant to the Personnel Directive Prohibiting the Receipt of Certain Gifts, employees and immediate family members of employees may not solicit anything of value or accept any gift, as defined in Part II of the Directive, acceptance of gifts could reasonably be construed as an attempt by the giver to influence the employee in the performance of their official duties. Under this policy, Company employees and immediate family members of VPRA employees shall not:

1. Solicit or accept any pecuniary items (i.e., gifts in cash or cash equivalents) or other things of value for the performance of official duties, except for compensation, expenses, or other remuneration approved by the VPRA.
2. Accept anything of value that might tend to influence him or her in the performance of their official duties.
3. Accept, directly or indirectly, any gift or gifts valued at over \$100 from any one source, singularly or in the aggregate over the course of one calendar year. The receipt of anything with a value of \$25 or less does not count toward the \$100 cumulative total.

Application of this policy does not preclude employees from receiving or recovering any legitimate travel expenses, or expenses incurred while engaging in an authorized VPRA activity, provided that the activity serves a legitimate public purpose. It is never permissible to accept a gift in cash or cash equivalent.

Employees are permitted to give special occasion gifts to Managers valued

less than \$25.00. Giving of gifts on other occasions or in excess of \$25.00 requires VPRA approval. Group gifts may not be given to Managers without approval from the VPRA. Requests for approval should be made to Human Resources.

Managers are permitted to give special occasion gifts to subordinates equal to or less than \$100.00. Giving of gifts on other occasions or in excess of \$100.00 requires VPRA approval.

Requests for approval should be made to Human Resources. Managers should be aware of situations which may be perceived as showing favoritism.

Supervisory employees should not accept gifts from employees under their direct or indirect supervision valued at more than \$25.00.

Supervisory Conduct

The VPRA expects all supervisory employees to conduct themselves in a manner befitting their positions of responsibility, accountability, and entrustment. Accordingly, a supervisory employee's conduct should in no way cast suspicion, dissension, intimidation, or potential liability (real or perceived).

Supervisory employees may not use their positions to retaliate, or threaten to retaliate, against any person for expressing views on matters of public concern, or for exercising any legally- protected right.

Supervisory employees should avoid putting subordinates in an awkward position by asking them to do something outside of the established working relationship which would jeopardize the supervisor/subordinate relationship.

Supervisory employees are prohibited from engaging in any non-working endeavors, interests, or activities with a subordinate that would be valued at more than \$100.00.

Fraud, Waste, and Abuse

Purpose: To aid in the prevention and detection of fraud, waste, or abuse against the Virginia Passenger Rail Authority and the Commonwealth. This policy applies to any fraud, waste, or abuse or suspected fraud, waste, or abuse involving an employee, a consultant, vendor, contractor, outside company, or person doing business with the VPRA or in any other relationship with the VPRA.

Applies To: All Employees

Policy: The VPRA does not tolerate any type of fraud, waste, or abuse. The VPRA's policy is to promote consistent, legal, and ethical organizational behavior.

Fraud is defined as the intentional deception perpetrated by an individual or

individuals, or an organization or organizations, either internal or external to state government, which could result in a tangible or intangible benefit to themselves, others or the Commonwealth or could cause detriment to others or the Commonwealth. Fraud includes a false representation of a matter of fact, whether by words or by conduct, by false or misleading statements, or by concealment of that which should have been disclosed, which deceives or is intended to deceive.

Waste is the intentional or unintentional, thoughtless or careless expenditure, consumption, mismanagement, use, or squandering of Commonwealth resources to the detriment or potential detriment of the Commonwealth. Waste also includes incurring unnecessary costs due to inefficient or ineffective practices, systems, or controls.

Abuse is the excessive or improper use of a thing or policy, or employment of something in a manner contrary to the natural or legal rules for its use. Examples of abuse include the intentional destruction, diversion, manipulation, misapplication, mistreatment, or misuse of Commonwealth resources.

State Fraud, Waste, and Abuse Hotline

All citizens of the Commonwealth have the opportunity to report possible instances of fraud, waste, or abuse anonymously and without fear of retribution by using the State Fraud, Waste, and Abuse Hotline. The Hotline is reserved for reporting:

1. Illegal or fraudulent conduct
2. Waste of funds
3. Abuse of state property or resources
4. Gross mismanagement
5. Gross neglect of duty.

The Hotline's non-traceable, toll-free number (800-723-1615) protects the confidentiality of the caller, making the Hotline completely anonymous.

Hotline investigations will be conducted in accordance with procedures established by the Office of the State Inspector General.

Responsibility to Report Suspected Fraud, and Abuse

VPRA employees are encouraged to report any instances of fraud, waste, or abuse to the State Fraud, Waste, and Abuse Hotline.

Managers are required to report suspected fraud, waste or abuse or other dishonest conduct, including reports from employees or other individuals, to Human Resources.

Retaliation and Confidentiality

The VPRA will not tolerate any form of retaliation against individuals providing

information concerning wrongdoing, fraud, waste, or abuse. However, disciplinary action may be taken if a report is made in bad faith.

The Identity of an employee or other individual who reports a suspected act of fraud, theft, or abuse will be protected.

Media Coverage

Purpose: To provide guidance relative to questions from newspaper, radio, television, or other media representatives concerning various items of Virginia Passenger Rail Authority business.

Applies To: All Employees

Policy: Unless given prior approval by the Executive Director or Communications, employees are prohibited from discussing any of the VPRA's business with media representatives.

All inquiries are to be referred to Communications.

Nursing Mothers

Purpose: To accommodate nursing mothers needing to express milk during work hours.

Applies To: All employees

Policy: In accordance with the Fair Labor Standards Act, nursing mothers will be provided a reasonable amount of break time to express milk as frequently as needed for up to one (1) year following the birth of a child.

If a nursing mother intends to express breast milk at work, she must notify her Manager, each shift, and schedule the breaks to best accommodate her and the department workflow. Nursing mothers are required to incorporate their breaks and lunch break into their break schedule.

Nursing mothers will also be provided a place, other than a bathroom, that is shielded from view and free from intrusion by co-workers and the public. If the space provided is not exclusively for a nursing mother's use, it will be made available when needed by a nursing mother.

Outside Employment

Purpose: To protect VPRA from conflict of interest on the part of employees.

Applies To: All employees

Policy: VPRA has no desire to regulate what an employee does with their time outside

of working hours. However, if they are employed on a full-time basis, VPRA will consider their position to be primary employment and will not permit outside employment, including self-employment, which presents any potential or actual conflict of interest or interferes with or hinders the employee's performance at VPRA.

To avoid any potential conflict of interest:

1. An employee may not work for another rail or rail industry related employer.
2. An employee who is engaged in planning, supervision or administration of projects may not work directly or indirectly for any employer that is engaged in providing services to VPRA, or providing goods that are used or consumed by VPRA.

Employees may not engage in any activity with respect to other consulting or employment during work time at VPRA.

Employees must obtain prior approval before any outside employment or other work activity is undertaken. A written request which includes information concerning the company, the working hours and days of the week must be submitted to their Manager and Human Resources. This information will be placed in the employee's personnel file.

Public Health Emergency Leave

Purpose: This policy permits eligible employees to attend to the medical needs of self and immediate family members by providing up to 80 hours of paid leave per leave year when Communicable Disease of Public Health Threat conditions have been declared by the State Health Commissioner and Governor.

Use of this policy is intended for illness directly related to the declared communicable disease threat.

Applies To: All employees

Policy: Procedures during Exceptional Circumstances
Upon the State Health Commissioner's determination of the existence of Exceptional Circumstances relating to one or more persons within the Commonwealth who are known to have been exposed to or infected with a Communicable Disease of Public Health Threat, but prior to any formal declaration or emergency office closing decision, the VPRA will apply the following procedures:

- The VPRA will remain open for business. All VPRA employees will be expected to report to work as usual.

- All employees will be designated as essential or non-essential and reminded of their performance expectations during Exceptional Circumstances and during a declaration of Communicable Disease of Public Health Threat.
- The VPRA will communicate in a timely manner the status of public health concerns, the VPRA Continuity of Operations Plan (COOP) requirements, and the agency efforts to reduce the spread of, or exposure to, infection.
- All designated employees will be compensated according to established compensation policies and overtime regulations.
- The Executive Director or his designee(s) will determine if telecommuting work agreements will be executed for employees they believe can work at alternative locations to reduce the risk of exposure. The VPRA will consider business needs to ensure that services to the public are not disrupted.
- The VPRA may expand the use of alternate work schedules to reduce employee contact.
- The VPRA may temporarily reassign employees to minimize critical staffing deficiencies.

Employees who become ill prior to a formal declaration of Communicable Disease of Public Health Threat are subject to existing VPRA leave policies. Managers should encourage these employees to use existing leave to attend to their medical needs.

Workplace Safety and Hygiene

To reduce the spread of communicable diseases in the workplace the following measures should be followed:

- Precautionary measures should be applied to the workplace and home, including the provision of community health or online resources that offer information and assistance on communicable disease prevention, respiratory manners, signs and symptoms of the disease, and when to seek medical attention.
- Employees are encouraged to take proactive steps to protect themselves and their families.
- Management should make sure landlords, contractors and cleaning staff ensure that VPRA offices and facilities are cleaned using techniques and cleaning agents that reduce the spread of infection.

Paid Public Health Emergency Leave

In order to qualify for paid Public Health Emergency Leave, an employee must submit the required agency leave request form to their manager. The request should be submitted in a timely manner but must be submitted no later than the employee's return to work. Note: All employees, including non-exempt employees, are eligible for up to 80 hours of paid Public Health Emergency Leave.

In order to qualify for paid Public Health Emergency Leave:

- The employee's primary care provider, a Public Health Official, or an Acceptable Medical Authority may be required to confirm the diagnosis of a communicable disease of public threat that requires isolation and/or medical attention for a specified period of time.
- The employee's primary care provider, a Public Health Official, or an Acceptable Medical Authority may be required to confirm the employee's exposure to a communicable disease of public threat and recommend removal from the workplace for a specified period of time.
- The employee's primary care provider, a Public Health Official, or an Acceptable Medical Authority may be required to confirm that an eligible member of an employee's immediate family is diagnosed with a Communicable Disease of Public Health Threat.
- Employees are responsible for providing written confirmation of the diagnosis and/or isolation requirements according to clinical recommendations published by the Virginia Department of Health.
- Recovering employees whose illness and/or isolation extends beyond 80 hours must use existing leave and/or disability policies to cover the remainder of their absences.

Illness in the Workplace

Upon declaration of a Communicable Disease of Public Health Threat, the VPRA will direct ill employees to leave the workplace and attend to their medical needs. Time away from the job site to comply with this directive shall be applied toward the 80 hours of pre-authorized Public Health Emergency Leave.

An employee's refusal to leave the workplace under these circumstances may result in disciplinary action.

Emergency Office Closings

If the Public Health Threat requires the closing of the VPRA office, employees will be compensated.

Glossary

Acceptable Medical Authority

Doctors of Medicine and Surgery, Hospital Interns and Residents, Physician Assistants, and Nurse Practitioners licensed to practice in Virginia by the State Boards of Medicine or Nursing.

Affected Area

Any part or whole of the Commonwealth, which has been identified as where persons reside, or may be located, who are known to have been exposed to or infected with or who are reasonably suspected to have been exposed to or infected with a Communicable Disease of Public Health Threat.

Continuity of Operations Plan (COOP)

An emergency response plan that addresses the continuity of an agency's operations and the security of their customers and employees in the event of a natural or man-made disaster or emergency, including terrorist attacks. Executive Order 7 (2002) directed all executive branch agencies to prepare and maintain Continuity of Operations Plans.

Communicable Disease of Public Health Threat

An illness of public health significance, as determined by the State Health Commissioner in accordance with regulations of the Board of Health, caused by a specific or suspected infectious agent that may be reasonably expected or is known to be readily transmitted directly or indirectly from one individual to another and has been found to create a risk of death or significant injury or impairment as described in Section 32.1-48.06, Code of Virginia.

Designated Employees

Designated employees are exempt and non-exempt employees who are required to work during an authorized closing because their positions have been designated by the agency as essential to agency operations during emergencies. Designated employees may be required to work during times they are not regularly scheduled to work. VPRA may designate different employees as essential for different situations.

Exceptional Circumstances

When one or more persons within the Commonwealth are known or are reasonably expected to have been exposed to or infected with a communicable Disease of Public Health Threat as described in Section 32.1-48.05, Code of Virginia.

Immediate Family Member

Immediate family includes parents, step-parents or persons who stood in place of the parent and performed parental duties and responsibilities; a spouse as defined by laws of the Commonwealth; children, including step-children, foster children, and legal wards; siblings, including step-siblings, residing within an Affected Area.

Public Health Official

Public Health physicians under the supervision and management of the State Health Commissioner who are licensed to practice medicine in the Commonwealth and have expertise in public health duties, epidemiology, sanitary science and/or environmental health, including Public Health physicians at all clinical sites administered by local health departments.

Severe Weather Conditions or Unusual Circumstances

Purpose: To set up guidelines to be used when severe weather conditions or unusual circumstances create a hazard for employees in getting to work or actually prevent employees from working.

Applies To: All Employees

Policy: When weather conditions or an emergency situation forces late openings, early closings, or full-day closings of state agencies, classified employees may be paid for these periods.

Decisions regarding such closings are made by the following authorities:

- For administrative agencies in the city of Richmond and in Chesterfield, Henrico, and Hanover counties – the Governor;
- For state colleges and universities – the college or university president; and
- For state operations or branch offices of administrative agencies outside of Richmond – the responsible agency head or appropriate facility or operations director.

Closing decisions normally are announced on local radio and television stations. Be sure you know the radio or television stations that will announce closings in your area. Closing announcements also appear on the DHRM web site, <http://www.dhrm.virginia.gov/> and via the DHRM Twitter account at <https://twitter.com/VirginiaDHRM>.

Employees are responsible for knowing this information and for acting accordingly. Certain personnel may be “designated” as being required to work during authorized closings. They may earn compensatory leave or pay for hours worked during periods of closing. Check with your supervisor to determine if you are a “designated” to work during authorized closings.

Smoking

Purpose: To establish basic guidelines relating to smoking throughout VPRA facilities.

Applies To: All Employees

Policy: VPRA maintains a smoke- and tobacco-free environment. No smoking or other use of tobacco products (including, but not limited to, cigarettes, pipes, cigars, snuff, e-cigarettes, vaporizers or chewing tobacco) is permitted in any part of buildings, or other structures or in vehicles owned, leased, or rented by VPRA. This also includes covered walkways, temporary enclosed structures, trailers, and tents as well as structures placed on Company-owned property by contractors or vendors.

Smoking is permitted outdoors on Company grounds, sidewalks, and other similar open pedestrian-ways, provided smokers are at least 25 feet from an air intake, entrance or exit of any facility.

Breaks that are permitted in the Hours of Work policy may be used as the employee sees fit. No additional smoking breaks will be given.

Where ash urns are furnished, they shall be placed at outside locations (25 feet or more from entry/exit ways) to aid smokers in disposing of smoking materials

It is the responsibility of all employees to observe the smoking policy. It is the responsibility of each Manager to enforce the provisions of this policy in their area of accountability. Those who smoke outside of buildings are expected to be considerate and courteous of other individuals. Smoking locations should not impede traffic flow in or out of buildings and should be in a location where smoke cannot drift into buildings. Additionally, smokers are asked to leave the smoking locations free of cigarette butts and other trash materials. All employees and visitors share the responsibility of keeping the work locations clean, attractive, and litter-free.

Being permitted to use tobacco products during breaks is a privilege, as long as such use does not interfere with the employee's work, fitness for duty, or professional appearance.

Social Media

Purpose: To ensure that the use of social media is performed in a responsible manner.

Applies To: All Employees

Policy: The VPRA recognizes the importance of social media for its employees. However, use of social media by employees may become a problem if it interferes with the employee's work, is used to harass co-workers or customers, creates a hostile work environment, or harms the goodwill and reputation of the VPRA or the community at large. The VPRA encourages employees to use social media within the parameters of the following guidelines and in a way that does not produce the adverse consequences mentioned above.

Where no policy or guideline exists, employees are expected to use their professional judgment and take the most prudent action possible, and check with their manager if they are uncertain about the appropriateness of a social media posting.

Note: As used in this policy, "social media" refers to blogs, forums, and social

networking sites, such as Twitter, Facebook, LinkedIn, YouTube, Instagram, TikTok, and MySpace, among others.

- If your posts on social media mention the VPRA, its services, employees, vendors, and/or competitors, make clear that you are an employee of the VPRA and that the views posted are yours alone and do not represent the views of the VPRA.
- Do not mention VPRA employees, clients, vendors, or partners without their express consent.
- Unless given written consent, you may not use the VPRA's logo or trademark on your posts.
- Remember, you are responsible for what you write or present on social media. You can be sued by other employees, competitors, vendors, and any individual that views your social media posts as defamatory, pornographic, proprietary, harassing, libelous, or creating a hostile work environment.
- Employees may not use VPRA equipment or facilities for non-work-related activities without permission. Social media activities should not interfere with your duties at work. The VPRA monitors its facilities to ensure compliance with this restriction.
- All postings on social media must comply with the VPRA's confidentiality and disclosure of proprietary information policies. If you are unsure about the confidential nature of information you are considering posting, consult with your manager.
- Comply with copyright laws, and cite or reference sources accurately.

Do not link to the VPRA's website or post VPRA material on a social media site without written permission from Human Resources.

- All VPRA policies that regulate off-duty conduct apply to social media activity including, but not limited to, policies related to illegal harassment, code of conduct, noncompetition, and protecting confidential and/or proprietary information.
- Violation of this policy may lead to discipline up to and including immediate termination of employment.

Note: Nothing in this policy is meant to, nor should it be interpreted to, in any way limit your rights under any applicable federal, state, or local laws, including your rights under the National Labor Relations Act to engage in protected concerted activities with other employees to improve terms and conditions of employment, such as wages and benefits.

Information Technology Usage and Security

Purpose: To ensure System Administrators and users of VPRA technology understand VPRA usage and security practices, and recognize and understand what to do if usage and security problems occur.

Applies To: All Employees

Policy: All employees, including contractors, vendors and anyone using or accessing VPRA information or information systems, must comply with the following:

1. Release of VPRA information will be in accordance with the Policy.
2. All information systems available through the VPRA are the property of VPRA and must be used in compliance with the Policy.
3. Users must make reasonable efforts to protect all agency provided hardware and communications equipment and software programs from theft and physical damage.
4. Any personal information placed on VPRA information system resources becomes the property of VPRA.
5. Any attempt to circumvent the Policy (e.g., disconnecting or tunneling a protocol through a firewall) is strictly prohibited.
6. Unauthorized use, destruction, modification, and/or distribution of VPRA information or information systems are prohibited.
7. VPRA data should only be stored on the network. Sensitive data should not be stored on mobile data storage media, including laptops or memory devices, unless there is a VPRA business necessity and that all data storage media containing sensitive data are physically and logically secured, such as using authentication and encryption. Sensitive data is defined as "any data of which the compromise with respect to confidentiality, integrity, and/or availability could adversely affect VPRA interests, the conduct of Authority programs, or the privacy to which individuals are entitled."
8. All users will report (via most convenient method - email, phone call, in person, etc.) any incidents or suspicious activity found on VPRA information systems to the IT Help Desk immediately upon detection.
9. Use of any VPRA information systems or dissemination of any information in a manner bringing disrepute, damage, or ill will against VPRA is not authorized.
10. All equipment capable of authentication will require a password to log on to the individual system and/or the VPRA network. Mobile devices issued by VPRA also require a password.
11. Systems should be locked or logged off whenever an employee leaves their workstation during business hours. There is an autolock policy enabled but users are responsible for locking their desktops when leaving them unattended. At the end of the day, users must log off but leave computer turned on. Users must not write/post passwords on or around their personal computers.
12. Users will not attach any computer equipment to VPRA computers or networks without prior written approval of the Information Security Manager, IT Manager, or IT Director. IT will not provide technical support for non-business related computer equipment or software.
13. Users may not modify, alter or upgrade any hardware or software

- programs provided by the VPRA without the written consent of the Systems Administrator or the Information Security Officer.
14. VPRA practices the philosophy of “least privileges” for granting access whereby users have access to the minimum privileges (systems and data) required to perform their job functions.
 15. VPRA information systems and information will be subject to monitoring at all times, including personal email if accessed via VPRA assets. Use of VPRA information systems constitutes acceptance of this monitoring policy. The IT department utilizes various intrusion detection software tools for network and application monitoring. VPRA Information Systems may be monitored for technical purposes by the Systems Administrator as necessary. Monitoring for investigation of specific (individual) potential abuse must be authorized by the CEO/Executive Director or a member of the Senior Leadership team.
 16. All new hires will sign an acknowledgement to be retained in their personnel file to acknowledge understanding and acceptance of the Policy prior to use of VPRA technology assets and information systems. Thereafter, an electronic acknowledgement of the policy will be required annually by June 30.
 17. Department Heads and IT will annually (by June 30) review access authorization listings to determine whether they remain appropriate, and adjust authorizations as deemed necessary.
 18. It is the responsibility of each employee to use reasonable care in handling and protecting computer equipment and accessories provided by the VPRA. Employees should report to the Systems Administrator any equipment that is lost, stolen, or damaged. Employees may be held personally responsible for the replacement of equipment and accessories if it is determined that lost, stolen, or damaged equipment was a result of personal gross negligence. Damaged and non-functioning equipment must be returned to the VPRA prior to replacement being issued.

Compliance with the Policy is mandatory. Specific, documented approval is required in the event a Manager or user wants to take action that would be deemed contrary to the Policy. Violators of the Policy are subject to disciplinary action including termination and/or civil and criminal legal action.

Pandemic

Purpose: This policy provides additional guidelines to the “Public Health Emergency Policy” when a Communicable Disease of Public Health Threat condition has been declared by the State Health Commissioner and or the Governor of Virginia.

Use of this policy is intended for illness, or the prevention of illness, directly related to the declared communicable disease threat.

Applies To: All employees

Policy: Notification

All employees are required to notify Human Resources and notify their supervisor in the following circumstances:

1. Return from travel (personal or work-related) to/from:
 - (i) Specific areas as defined by the CDC, posted here:
<https://www.cdc.gov/coronavirus/2019-ncov/travelers/after-travel-precautions.html>
 - (ii) Cruise of any kind
2. Potential Direct Exposure
 - (i) Potential Direct Exposure is defined by the CDC risk assessment as “Close Contact”
<https://www.cdc.gov/coronavirus/2019-ncov/php/risk-assessment.html>

In these circumstances, a mandatory 14 day post-exposure “Waiting Period” will be invoked, unless otherwise expanded or reduced by updated CDC guidelines. During this Waiting Period, telework may be considered on a case by case basis. If telework is not available, then Public Health Emergency Leave may be used.

Related Policies

Public Health Emergency Leave – used during waiting period or period of mandated quarantine

Paid Time Off – used during illness or after PHE is exhausted

Short Term Disability – available during period of illness, to be determined by insurance carrier, Cigna

Family and Medical Leave – may be available during waiting period, medical quarantine, and illness